

the right of alienation and under which they can at any time have it with the approval of the Secretary.

Mr. SPOONER. I was reading the wrong paper.

Mr. CLAPP. If there is nothing—

Mr. TELLER. Mr. President, I wish to say just a word. The Senator from Wisconsin has referred to the fact that I said some of the full bloods were capable. I do not think, taking the full bloods as a rule, that they are capable. Neither do I think the half-breeds are capable. But there are a great many Indians, who have a little Indian blood, who are very capable. I do not want to have it understood that I disparage the ability of the full-blood Indian. I have known a great many Indians, and, as I said the other day, I can call to mind now an Indian who would not be a disgrace to the Senate at any time—an intelligent, active, full-blood Creek. He is an old man now, that is true; but that is the only objection that could be made to him. However, there are some old men in the Senate.

My intercourse with Indians for forty-five years has been close. I have known now and then a full-blood Indian who never came to any public notice who was as capable as the average man in the community in which he lived, and sometimes many of them much more so. I knew an Indian called Ouray. He was a Ute Indian. He was a chief, and he came from a long line of chiefs. He was a man of absolutely great power and a man of good character. When we had difficulty with the Indians, he was the man who went out and composed the difficulty, and brought the Indians in, and did his part to make them behave. I could name a number of instances of that kind within the last forty-five years. History is full of them. The condition, as to certain Indians, in western New York, where I was brought up, still exists. We used to have in the readers the speeches those men made. A great many people supposed those speeches were written by somebody who wanted to make a good speech. I have had made to me speeches by Indians that were full of wit, sometimes amusing and at other times full of pathos, but full of intelligence, and really very eloquent speeches. I know they were eloquent, although the interpreter could not perhaps give full force to what they were, and they expressed themselves as clearly as any people in the world.

Mr. SPOONER. And always dignified.

Mr. TELLER. And always dignified, as the Senator from Wisconsin says. They usually had a sense of propriety which belongs to intelligence. The Indian is not a barbarian in the sense that many classes of the human race are. They have certain laws which are just as binding on them as ours are upon us, both morally and politically, and they adhere to them. They are not to be considered as a weak-minded people. Like all wild people and like all civilized people, they do succumb to the use of intoxicating drinks, and that is one of the banes of their lives. But they are not more so in the native state than the white man is in his ordinary condition.

Mr. CLAPP. I now ask that the conference report be adopted.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

Mr. TILLMAN. Mr. President, I shall have nothing more to say, but for the reasons which we have tried to bring out here I hope the Senate will not adopt this report, but will send it back to conference. I ask for the yeas and nays on agreeing to the report.

The yeas and nays were not ordered.

The VICE-PRESIDENT. The question is on agreeing to the conference report.

Mr. TILLMAN. I make the point of order that there is no quorum present.

The VICE-PRESIDENT. The Senator from South Carolina raises the question of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bacon	Cullom	Hansbrough	Piles
Berry	Dillingham	Heyburn	Scott
Blackburn	Dolliver	Kean	Simmons
Brandes	Dubois	Latimer	Spooner
Bulkeley	Elkins	Long	Sutherland
Burkett	Flint	McCreary	Taliaferro
Burrows	Foraker	McCumber	Teller
Carter	Foster	Money	Tillman
Clapp	Frye	Morgan	Warner
Clark, Wyo.	Fulton	Newlands	Warren
Clay	Gallinger	Perkins	Wetmore

The VICE-PRESIDENT. Forty-four Senators have answered to their names. A quorum is not present.

Mr. KEAN. I ask that the absentees be called.

The VICE-PRESIDENT. The Secretary will call the names of absent Senators.

The Secretary called the names of absent Senators, and Mr. Allison responded to his name.

Mr. MORGAN. My colleague [Mr. PETTUS] is detained by sickness from the Chamber.

The VICE-PRESIDENT. Forty-five Senators have answered to their names. A quorum is present.

Mr. TILLMAN. A quorum being present, I again renew my request for the yeas and nays on the adoption of the conference report.

The yeas and nays were ordered.

Mr. FRYE. It is entirely evident that there is no voting quorum present. Therefore I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 12, 1906, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 11, 1906.

The House met at 11 o'clock a. m.

Prayer by Rev. HEZ SWEM, pastor of the Second Baptist Church, Washington, D. C.

The Journal of the proceedings of yesterday was read and approved.

DEFINING AND REGULATING JURISDICTION OF UNITED STATES COURTS.

The SPEAKER. The Chair lays before the House the following House bill with a Senate amendment, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12843) to amend the seventh section of an act entitled "An act establishing circuit courts of appeals and to define and regulate in such cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891.

The Senate amendment was read.

Mr. BRANTLEY. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to; and the amendment was concurred in.

LOWER BRULÉ BAND OF SIOUX TRIBE OF INDIANS IN SOUTH DAKOTA.

Mr. BURKE of South Dakota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 980), and ask that the substitute be read in lieu of the original bill.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of a Senate bill, that the reading of the bill be dispensed with and the substitute read instead. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

An act (S. 980) to ratify an agreement with the Lower Brulé band of the Sioux tribe of Indians in South Dakota, and making appropriation to carry the same into effect.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed, as hereinafter provided, to sell or dispose of the west half of townships 106, 107, 108, 109, and 110 north, range 27 west of the fifth principal meridian, and fractional townships 106, 107, 108, 109, and 110 north, range 78 west of the fifth principal meridian, and fractional township 110 north, range 79 west of the fifth principal meridian, the same being the western portion of the Lower Brulé Indian Reservation in South Dakota, comprising approximately 56,560 acres: *Provided*, That sections 16 and 36 of the lands in each township shall not be disposed of, but shall be reserved for the use of the common schools and paid for by the United States at \$1.25 per acre, and the same are hereby granted to the State of South Dakota for such purpose: *Provided further*, That any Indians to whom allotments have been made on the tract to be ceded may, in case they desire to do so before said lands are offered for sale, relinquish same and select allotments in lieu thereof on the diminished reservation.

Sec. 2. That the Secretary of the Interior shall cause said lands, except sections 16 and 36 in each township, to be appraised by legal subdivisions, and when all of said lands have been appraised the same shall be disposed of under the general provisions of the homestead laws of the United States, and shall be opened to settlement and entry at not less than their appraised value by proclamation of the President, which proclamation shall prescribe the manner in which these lands shall be settled upon, occupied, and entered by persons entitled to make entry thereof, and no person shall be permitted to settle upon, occupy, or enter any of said lands, except as prescribed in such proclamation, until after the expiration of sixty days from the time when the same are opened to settlement and entry: *Provided*, That the rights of honorably discharged Union soldiers and sailors of the late civil and Spanish wars and the Philippine insurrection, as defined and described in sections 2304 and 2305 of the Revised Statutes, as amended by the act of March 1, 1901, shall not be abridged: *Provided further*, That the price of said lands when entered shall be that fixed by the appraiser or by the President, as herein provided for, which shall be paid in accordance with rules and regulations to be prescribed by the Secretary of the Interior upon the following terms: One-fifth of the purchase price to be paid in cash at the time of entry, and the balance in five equal annual installments, to be paid in one, two, three, four, and five years, respectively, from and after the date of entry. In case any entryman fails to make the annual payments, or any of them, promptly when due, all rights in and to the land covered by his entry shall cease,

and any payments theretofore made shall be forfeited and the entry canceled, and the lands shall be reoffered for sale and entry: *And provided further*, That the lands embraced within such canceled entry shall, after the cancellation of such entry, be subject to entry under the provisions of the homestead law, at the appraised value, until otherwise directed by the President, as herein provided.

When the entryman shall have complied with all the requirements and terms of the homestead laws as to settlement and residence and shall have made all the required payments aforesaid, he shall be entitled to a patent for the lands entered: *Provided*, That the entryman shall make his final proofs in accordance with the homestead laws within six years, but nothing in this act shall prevent homestead settlers from commuting their entries under section 2301, Revised Statutes, by paying for the land entered the appraised price, receiving credit for payments previously made, and that aliens who have declared their intention to become citizens of the United States may become such entrymen, but before making final proof and receiving patent they must have received their full naturalization papers: *Provided further*, That the fees and commissions to be paid in connection with such entries and final proofs shall be the same as those now provided by law where the price of the land is \$1.25 per acre: *And provided further*, That when, in the judgment of the President, no more of the said land can be disposed of at the appraised price, he may, by proclamation, to be repeated at his discretion, sell from time to time the remaining lands subject to the provisions of the homestead laws, or otherwise as he may deem most advantageous, at such price or prices, in such manner, upon such conditions, with such restrictions, and upon such terms as he may deem best for all the interests concerned.

SEC. 3. That the proceeds arising from the sale and disposition of the lands aforesaid, exclusive of the customary fees and commissions, shall, after deducting the amounts of the expenses incurred from time to time in connection with the appraisements and sales, be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the Lower Brule Reservation, and shall be expended for their benefit, under the direction of the Secretary of the Interior.

SEC. 4. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, or so much thereof as may be necessary, to pay for the lands granted to the State of South Dakota, as provided in this act, and for the necessary expenses of appraising said lands as provided herein: *Provided*, That the money expended in appraising said lands shall be reimbursable and shall be deducted from the proceeds received from the sale thereof.

SEC. 5. That the Secretary of the Interior is hereby vested with full power and authority to make all needful rules and regulations as to manner of sale, notice of same, and other matters incident to the carrying out of the provisions of this act, and with authority to reappraise said lands if deemed necessary from time to time, and to continue making sales of the same, in accordance with the provisions of this act, until all of the lands shall have been disposed of: *Provided*, That all lands herein ceded and opened to settlement under this act remaining undisposed of at the expiration of five years from the taking effect of this act shall be sold and disposed of for cash, under rules and regulations to be prescribed by the Secretary of the Interior, not more than 640 acres to any one purchaser.

SEC. 6. That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land herein described, except sections 16 and 36 or the equivalent in each township, or to dispose of said land except as provided herein; or to guarantee to find purchasers for said lands, or any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over and expend the proceeds received from the sale thereof only as received, as herein provided.

The SPEAKER. Is there objection?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I would like to ask if this bill has been unanimously reported from the committee?

Mr. BURKE of South Dakota. Mr. Speaker, this bill only affects two townships, and it is strictly in accordance with the agreement made with the Indians in February, 1906—

Mr. WILLIAMS. I did not ask the gentleman that; I asked whether this is a unanimous report of the committee.

Mr. BURKE of South Dakota. It is a unanimous report from the committee.

Mr. WILLIAMS. Then I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment in the nature of a substitute was agreed to; the bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act to authorize the sale of a portion of the Lower Brule Reservation in South Dakota, and for other purposes."

On motion of Mr. BURKE of South Dakota, a motion to reconsider the last vote was laid on the table.

Mr. BURKE of South Dakota. Mr. Speaker, I now ask that House bill 9306 lie on the table, it being a similar bill.

The SPEAKER. Without objection, it is so ordered. [After a pause.] The Chair hears no objection.

POST-OFFICE APPROPRIATION BILL.

On motion of Mr. OVERSTREET, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16953—the Post-Office appropriation bill—Mr. SHERMAN in the chair.

Mr. OVERSTREET. Mr. Chairman, I yield fifteen minutes to the gentleman from Ohio [Mr. BANNON].

Mr. BANNON. Mr. Chairman, during the debate in this House on the subject of the engagement on Mount Dajo between our

forces and a large band of Moro robbers and cutthroats disparaging reference has been made to the military operations of Gen. Jacob H. Smith on the island of Samar; and in the press of the country a comparison has been made between the Samar campaign and that on the island of Jolo. I happen to be familiar with General Smith's record, and to the end that justice may be done him I shall take the liberty of setting it forth.

This is the legislative branch of the Government, where every Member has the right to entertain and express his views on matters of public importance and concerning the welfare of the nation. We are answerable to our own consciences and our own obligations. To differ with the President is not only our privilege, but a duty which must not be shirked when our views are irreconcilable with his. Politically I always have been and still am his ardent supporter, and personally his warm admirer.

On this occasion I do not differ with him, and from the reports received so far I think it is apparent that no discredit has been brought upon the American Army. Our policy in the Philippines is simply being carried out. The islands became ours as a result of war. I only wish the fortunes of war had never placed them under our authority, but the responsibility is now ours, and it must be assumed. We can not evade it. Our duty is plain. The inhabitants of the islands must respect the American flag. They owe allegiance to the United States of America. Rebellion can not and will not be tolerated. The laws must be obeyed, and we owe a duty to the inhabitants of the island to protect them in their lives and their property from the depredations of marauders, outlaws, thieves, and murderers. There can be no civilization without law and order; and civilization can not be maintained unless the law is enforced. Resistance to law, defiance of it, must be met by force and overcome, and we can not weigh in a delicate balance just how much force must be used to accomplish the end.

But the case of General Wood is a complete vindication of the case of General Smith. This I will endeavor to establish by the facts.

What is the military record of General Smith?

General Smith was a soldier of many wars. When the call to arms resounded throughout this country in 1861 he organized a company, was mustered into the military service of the United States, and was soon at the front. At Shiloh he suffered a severe gunshot wound. He was taken from the field of battle and sent home dangerously sick. But an iron constitution and a strong will power soon asserted themselves, and he recovered and returned to his command. General Grant recommended that he be brevetted for gallantry on the field of battle. He served throughout the civil war as a volunteer, and at its close entered the Regular Army. Years of his life were spent on the American frontier in various Indian campaigns. In the war with Spain he went to Cuba with our troops and, although not the hero of that war, he now carries in his body a bullet from the rifle of a Spanish soldier. He was then sent to the Philippines, and while there was always at the front faithfully discharging his duties. A formidable insurrection broke out in Samar. General Smith was sent to quell it.

Let us now examine what Smith did in Samar and what Wood has done in Jolo.

When Smith arrived at Samar he found that the small garrison of the United States Army at Balangiga had been massacred by the natives. The garrison was surrounded by treacherous murderers while in its mess room at breakfast. Our soldiers were surprised—caught unarmed—and with neither the means nor opportunity of defense were most cruelly and brutally murdered. After the bodies were horribly mutilated the assassins left for the interior of the island. It was not until after General Smith viewed the result of this terrible slaughter—this wanton murder of American soldiers—that he gave the order for which he has been so much criticised. This order was construed by Major Waller in accordance with the laws of war and General Military Orders No. 100; and Major Waller repeatedly testified before the court-martial the interpretation he put upon this order and that the meaning conveyed by it was that only those opposing the Army—those engaged in actual hostilities—in active operations against it, were to be killed. He did not tell Major Waller that quarter was not to be given. For this order General Smith was court-martialed, and the verdict of the court, while finding that he did use certain objectionable language, found him not guilty of directing that the giving of quarter was not desired; not guilty of ordering that all persons capable of bearing arms were to be killed; and, further, that his directions were to kill only those engaged in actual hostilities. An admonition, I believe, was recommended, but, unfortunately for General Smith, he had reached

that period in life when he was subject to retirement on account of age by executive order, and what followed is a matter of history. No doubt the President yielded to what he thought was a popular demand and did what he believed to be right. But what caused General Smith to issue such an order? By whom was it suggested? What were his instructions?

On October 27 General Chaffee wrote directions and gave orders to General Smith as follows:

I am also sending you the *Florida*, which is armed with a couple of gatling and other guns for work in the strait, with a view to stop the damned nonsense of supplying Samar from Leyte. * * * It would not be possible to ask that Leyte be put in the military column until I hear from you officially. I think, with you, that it should be done. * * * I do not propose to hamper you at all, but, on the contrary, give you all the assistance you need to crush the insurrection in Samar, and, as you say, Lukban shall not be governor of Samar if we can prevent it, and I think you can. I recognize that it is a difficult job to catch a weasel when loose in a country so bushy and impassable as is Samar. No doubt there are many places unknown to the troops where rice is grown in sufficient amount to feed a few wood mice. Therefore it may surprise you frequently to find they are able to fill their stomachs when believed they have had nothing at all. * * * The interior must be made a wilderness if that is the only remedy.

What is that but the famous order to make a wilderness of the island? General Smith issued such an order, but when he did so he had in his possession the exact language used by him in a letter which was written deliberately by his superior when not under the excitement necessarily attendant upon the view of a human slaughterhouse.

In various orders and directions given to General Smith by General Wheaton, beginning in 1900, the last order being dated November, 1901, General Wheaton, advising General Smith of the movement of the bands of Filipinos and in making reference to some wells, says:

If possible attack these bands and exterminate them, which will save officers falling into and injuring them internally (the officers, and not the wells) and then taking murderers red-handed and bringing them to the slow justice of the courts. General Grant has just made a very successful cleaning out of a rendezvous of guerrillas and robbers in the mountains, killing forty and destroying seventy-five buildings and a large quantity of ammunition and supplies.

In another letter he says:

One must never be surprised at the rascality of the Filipinos. This is your account of Rascas rascality. A more unmitigated lot of scoundrels and rascals never went unhung.

And in another letter he directs Smith as follows:

Do not allow the question of drills or instructions of the troops to take any precedence over exterminating armed bands. There have lately been indications of renewed activity on the part of assassins in your district. Pursue them unrelentingly. If possible, run them down and make an end of them. Less endeavor to pay rent and more to kill the villains infesting the department will have a good effect on the situation.

In June, 1901, he says:

Numbers are being murdered, towns fired into, and attachments ambushed. The best way to negotiate is to chase the scoundrels night and day and administer good medicine to them whenever possible.

In still another he urges haste, because of the volunteers that are shortly to leave the island, and says:

Keep chasing any bands you can. Get a clue as to their staying, or running, places and chase them off the face of the earth. I am much pleased with results so far as accomplished in your district. Let the good work go on until a child can, unmolested, carry a bag of pesos anywhere. We will do this if we have to hang the last black rascal in the department. Exterminate without mercy the assassins, whose inhumane outrages are a blot upon humanity.

In November, 1901, he writes General Smith:

I thoroughly understand your difficulties, and I know that you will do all that can be done with the force furnished you. The many mistakes made out here are beginning to show their effect, and unless some people get over the "little brown brother" and "poor little barefoot" silliness the so-called "war" will be protracted indefinitely.

These instructions were written to Smith while he was in the midst of his Samar campaign.

On October 5, 1901, when Smith was sent to Samar, and immediately under the command of General Hughes, after instructing him as to the best mode of carrying on the campaign on the island of Samar and where to locate his troops, he writes "to subjugate the savages of that section and to cut off insurrecto supplies and assistance from Leyte." He continues further:

The object of locating the three heavy companies across this line is to give them a fair opportunity to kill off the bands of utter savages who have hibernated in the brush in that vicinity, their favorite haunts being Salcedo, Quinapundan, Pambujan, Omagingong, the Upper Asuaz, Tanquip, and Naubag. The books call them heathens, and I guess they are all that with Moro tendencies. Simple burning out appears to do no good; they want to be stayed with and either killed or domesticated.

The order given by General Smith will not compare in cruelty with an order to "exterminate without mercy." If General Smith's order was so violent as to evidence his unfitness to serve in the Army of the United States, what do you think of the language I have quoted?

It will thus be seen that General Smith not only had prece-

dent and authority for using the language he was charged with using, but that authority to carry out his orders was conferred upon him in writing by his superiors in command. Chaffee told him to make the island a wilderness, if that was the only remedy. Wheaton wrote him not only to kill, but to exterminate, and to exterminate without mercy, while Hughes advises that burning out is not sufficient, but that killing also must be resorted to. Here we have in writing the very language General Smith was charged with uttering. I do not condemn the language in these letters. The men using it were American soldiers, and every patriotic American ought to give support to the Army which protects him. These officers knew the problems they had to face; they knew the foes they were dealing with. Savages can not be fought in a civilized manner, and we must stand by the men who fight our battles, who suffer the most severe hardships, and who must face a cruel, savage foe. They are the judges of what kind of force is necessary.

But General Smith quelled the insurrection in a few days. The laws of war were not violated. Secretary Root found as a fact, and so advised the President, with reference to General Smith's orders, that—

No women or children or helpless persons or noncombatants were put to death in pursuance of them.

What order did General Wood give? We do not know. The report is that he was present practically throughout the entire action. He was in command. He telegraphs that a considerable number of women and children were killed in the fight, the number being unknown. In other words, Smith killed neither women nor children; Wood did. Wood is warmly praised and commended by the President. His commendation is General Smith's vindication.

Both General Smith and General Wood faced a relentless, merciless, and treacherous foe. The towns in Samar are on the coast. The interior is a jungle, well-nigh impenetrable, and can only be reached by our soldiers after the greatest of hardships. After the Balangiga massacre the natives fled to the interior. It was necessary to bring them back. General Smith did so. Every written order given by him provided for the humane treatment of these savages, encouraged them to return to the coast, and ample provision was made for feeding them. General Wood drove to the mountains a band of savage murderers and robbers who had been a menace for months to the peaceable natives and American soldiers. Robbery and murder had been rampant. They resisted until the last member of their band was slain or rendered helpless. The taking of life is always deplorable, but occasionally necessity in war demands it. We should always stand by the men who are on the firing line and support our soldiers who must fight for us on the field of battle.

In contending with a savage foe the rules of civilized warfare can not apply, for the very good reason that savages will not themselves adopt such rules. In the Philippine Islands the American soldiery must contend with such an enemy; but even in the case of General Wood, as it seems to me, the laws of civilized warfare have not been violated. The instructions for the government of the armies of the United States in the field were prepared by Francis Lieber, a noted German authority on international law, and these instructions are known as General Orders, No. 100, and were issued April 24, 1863, and approved by President Lincoln.

Section 14 of these instructions provides that—

Military necessity, as understood by modern civilized nations, consists in the necessity of those measures which are indispensable for securing the ends of the war, and which are lawful according to the modern war and usages of war.

Section 15 provides that—

Military necessity admits of all direct destruction of life or limb of armed enemies, and of other persons whose destruction is incidentally unavoidable in the armed contests of the war.

Section 44 provides that—

All wanton violence committed against persons in the invaded country and all wounding, maiming, or killing of such inhabitants may be punished by death.

From the evidence now before us it does not seem that there was any "wanton" destruction of human life, but, on the contrary, it does appear from reports yet unconfirmed that the necessities of General Wood's campaign against the Moros compelled the killing of some women and children incidentally unavoidable in this battle with savages.

There is nothing new in this question. Those who made the early settlements in this country were obliged to strive with savages, and the methods used by them do not differ from the methods necessary in the Philippines to-day.

The early colonists of Massachusetts understood the question. They never hesitated in the face of the enemy. Longfellow, in *The Courtship of Miles Standish*, explains the methods of the

Pilgrim Fathers in dealing with savages. I commend to those who criticize the conduct of the American army in the Philippines Longfellow's famous description of the Pilgrims' council of war:

Near them was standing an Indian, in attitude stern and defiant, Naked down to the waist, and grim and ferocious in aspect; While on the table before them was lying unopened a Bible. Ponderous, bound in leather, brass-studded, printed in Holland, And beside it outstretched the skin of a rattlesnake glittered, Filled, like a quiver, with arrows; a signal and challenge of warfare, Brought by the Indian, and speaking with arrowy tongues of defiance. This Miles Standish beheld, as he entered, and heard them debating What were an answer befitting the hostile message and menace, Talking of this and of that, contriving, suggesting, objecting; One voice only for peace, and that the voice of the Elder, Judging it wise and well that some at least were converted, Rather than any were slain, for this was but Christian behavior! Then out spake Miles Standish, the stalwart Captain of Plymouth, Muttering deep in his throat, for his voice was husky with anger, "What! do you mean to make war with milk and the water of roses? Is it to shoot red squirrels you have your howitzer planted There in the roof of the church, or is it to shoot red devils? Truly the only tongue that is understood by a savage Must be the tongue of fire that speaks from the mouth of the cannon!" Thereupon answered and said the excellent Elder of Plymouth, Somewhat amazed and alarmed at this irreverent language: "Not so thought St. Paul, nor yet the other Apostles; Not from the cannon's mouth were the tongues of fire they spake with!" But unheeded fell this mild rebuke on the Captain, Who had advanced to the table, and thus continued discoursing: "Leave the matter to me, for to me by right it pertaineth. War is a terrible trade; but in the cause that is righteous, Sweet is the smell of powder; and thus I answer the challenge!" Then from the rattlesnake's skin, with a sudden, contemptuous gesture, Jerking the Indian arrows, he filled it with powder and bullets Full to the very jaws, and handed it back to the savage, Saying, in thundering tones: "Here, take it! This is our answer!" Silently out of the room then glided the glistening savage, Bearing the serpent's skin, and seeming himself like a serpent, Winding his sinuous way in the dark to the depths of the forest.

This was the way the Pilgrim Fathers dealt with this question of peace and war, and so it is with the Filipinos. They must recognize the authority of the United States; they must obey the law. Murder and robbery, disobedience to law, will not be tolerated in the Philippine Islands, and the sooner the inhabitants understand that the better it will be for them. We offer them civilization, good government, law, and order. If some of the inhabitants will not accept that, but prefer to resist our authority and to plunder and murder those who do respect our authority, we must use sufficient force to compel them to do so. [Applause.]

To illustrate the character of these Moros I append interviews of Major Scott and Captain Cloman from the Washington Post.

Major Scott said:

"The Mount Dajo fight is nothing more than the proper chastisement of a band of outlaws, whose resistance to the authority of the United States and their own chiefs never at any time rose to the dignity of a national or racial issue."

The foregoing statement was made by Major Scott, who just arrived in this city direct from Manila, and to whom General Wood referred the question of the fight in his cable to the War Department yesterday.

"I can speak from experience," said Major Scott, "for I have spent eight months trying to get the Moros to settle down. They are simply an outlaw band, completely destitute of religion, racial or political significance, and I know the people of the southern islands are more than glad that these midnight marauders are at last put out of business."

"In the old days before the arrival of the American, the chiefs and datos were unable to put a stop to the plundering and pillaging of this band of outlaws. The authority of Spain was merely nominal, and its representatives could do nothing against such depredations."

THIEVERY STOPPED.

"Now things are different. The United States, by a combination of tact and judgment, has managed through its excellent officers in the Philippines to put a stop to this wholesale thievery, and I am confident that the Mount Dajo fight will be the last of its kind. The members of this band were outlaws in the eyes of their own people. The datos and chiefs wanted them brought to terms as badly as did the Americans. I reasoned with them for months and am convinced that they would never have listened to reason. People over there look upon the fight about the same as we think of a running fight with a Jesse James gang."

"Those who think the disturbance was caused by religious troubles are mistaken. The United States has never interfered with the religion of the islands, as other nations have done in their administration of the people. As a result our people have escaped the broils and petty insurrections that fell to the heritage of other Christian nations."

"The Malay Islands have always been more or less troubled with outlaws. About a century ago the better-disposed inhabitants of the province of Sarawak, in the northern part of Borneo, invited an Englishman, James Brooke, to come over and be their rajah. He did so, drove out the outlaws, and gave them such a strong and substantial government that on his death Sarawak passed to the control of Great Britain and has remained so ever since. In like manner the better class of people in Jolo feel thus toward the United States."

Additional light is thrown upon the Moro situation by Capt. Sydney Cloman, former governor of Tawi Tawi, a group of islands in the Sulu Archipelago. Captain Cloman spent two years and a half among the Moros, during which time he made an especial study of the characteristics of the people.

THEY LIE, STEAL, AND KILL.

"The Moros," said he, "are a fatalistic race of people, possessing, as far as I was able to ascertain, but one redeeming feature. They will lie, steal, and kill, but their love for their wives and children is very noticeable."

"I have no idea of the exact conditions surrounding the battle of Dajo, but I imagine from what I know of that part of Jolo that the band of outlaws, who were exterminated, had built a village in the crater of an extinct volcano, and having been unmolested for some time, they naturally were joined by their families."

"While the Moros are fatalists and will plunge into battle regardless of death, yet in the face of their foes they become panic-stricken and totally incapable of consecutive thought."

"When surrounded by the American troops and all points of exit absolutely cut off the Moros will not surrender; neither will they quietly sit down behind fortifications and fight their last battle with method or precision. Instead, they will grasp their knives and other arms and dash about in a frenzy. Their love and tenderness for children will create in them a wild desire to save them. Instead of leaving them in places of safety, where they would not be molested by the troops, the Moros grab up the children and run toward the enemy's lines in an effort to break through and save them."

"Moro outlaws in Jolo have been severely punished by the Government in the past few years, and of course they will fight desperately to avoid being captured."

TAKE OATH TO KILL.

"The desperate character of the individual Moro can best be understood by citing a few of their peculiarities. Under the Spanish Government and since Moros were prone to take an oath before the Mohammedan priest, becoming thereby *jura mentado*, which pledges themselves to die while killing infidels. Preparatory to starting out on their bloody enterprise the Moros will shave their eyebrows, cut off their finger and toe nails, and then, arming themselves with keen-edged knives, dash out upon unsuspecting Christians and kill until they in turn are killed. After becoming *jura mentado* a Moro would be disgraced if he did not die while killing Christians."

"Then there is another class of desperadoes, and that is composed of Moros who have determined upon suicide. As their religion condemns self-destruction, these men will run 'amok' (amuck), killing all who come in their way, nor will they cease until death overtakes them. The only difference between the latter and former class of Moros is that the former kill only Christians, while the latter usually start in on the ones nearest to them, even though they may be their wives."

"The trouble which the authorities encounter in dealing with the outlaws is that they are supported by their family and friends. Whenever a Moro has committed some act that would entail punishment he immediately allies himself with some band of outlaws. If it stopped there it would not be so bad, but every one of his friends supports him in his outlawry and will go to great lengths to prevent his capture."

"Becoming '*jura mentado*' was discontinued by Colonel Pratt, of the Twenty-third Infantry, the first governor of Sulu, who sent word to the Sultan of Sulu that if such practices continued he would send a regiment of soldiers into Maibun, the capital of Sulu, and let them become *jura mentado*, too."

Captain Cloman's statement regarding the characteristics of the Moros explains how it might be possible that children would be killed in a conflict between the American troops and the Moros. Even though a Moro warrior may have a child under one arm, he has a knife in the other hand, which he will insist upon wielding as long as he has strength. Consequently in firing upon the crazed but dangerous Moros it would be more than probable that some children would be injured."

Mr. OVERSTREET. Mr. Chairman, I yield twenty minutes to the gentleman from California [Mr. HAYES].

Mr. HAYES. Mr. Chairman, in a matter involving a comprehensive knowledge of the various departments of the postal service in the United States I should not venture to set up my opinion against the opinions of the members of the Committee on Post-Offices and Post-Roads. I freely admit that this committee has carefully considered—much more carefully than I possibly could—every item that they have incorporated into the pending bill. They have no doubt had in full view all the needs of the various departments of the service and have given such appropriation to each department as under all the conditions, in their judgment, seemed wise. In what I am to say I do not desire to be understood as undertaking to criticize the committee, either individually or collectively, for anything in the present bill, or for a failure to incorporate any feature that any Member or Members of this House might wish to see in it, but in one important respect my judgment, based upon the information disclosed in the report of the committee, is not thoroughly in accord with the judgment of the committee as expressed in this bill. I believe that it will be generally admitted that the postal clerks in the first and second class post-offices of the United States work the longest hours and receive the poorest pay of any class of Government employees. I note with pleasure, therefore, that in the pending bill an item of \$500,000 is incorporated for obligatory promotions, mostly among the poorer paid clerks of this branch of the service. I regret that the committee did not make this appropriation very much larger.

I herewith submit a tabulated statement of the number of clerks of the different grades who are to be employed in the first and second class offices in the fiscal year 1907, from which it appears that 17,780 clerks will receive a salary of \$900 or less, while but 7,696 clerks will receive above \$900.

Compensation to clerks in first and second class post-offices under the pending bill.

325 clerks, at.....	\$400
900 clerks, at.....	500
3,500 clerks, at.....	600
4,565 clerks, at.....	700
5,010 clerks, at.....	800
3,490 clerks, at.....	900
2,735 clerks, at.....	1,000
1,720 clerks, at.....	1,100
1,820 clerks, at.....	1,200

445 clerks, at.....	\$1,300
539 clerks, at.....	1,400
122 clerks, at.....	1,500
105 clerks, at.....	1,600
119 clerks, at.....	1,700
60 clerks, at.....	1,800
77 clerks, at.....	2,000
16 clerks, at.....	2,100
29 clerks, at.....	2,200
25 clerks, at.....	2,400
6 clerks, at.....	2,500
21 clerks, at.....	2,600
17 clerks, at.....	2,700
6 clerks, at.....	3,000
4 clerks, at.....	3,200

25,486

The occupation of a post-office clerk is not a sinecure. The clerk has no fixed hours, but must continue at his work until it is done. He is even not always on duty continuously, but must often report for a certain number of hours of work in the morning, other hours in the afternoon, and still others in the night, depending on the time of arrival and departure of the mails. It is stated by those in a position to know that the average working day the year through of the postal clerks in the first and second class offices of the country is ten and one-half to eleven hours, and during the busier seasons these hours are extended to twelve and even fourteen and fifteen hours out of the twenty-four, and for these extra hours the clerk gets no additional pay. Besides the hours that he directly devotes to the performance of his duties in the office, he must spend considerable time at home in the study of his distribution schemes. It must be apparent to anyone who makes even a superficial examination of the subject that the postal clerk is a very hard-worked and poorly paid employee.

It is a mistaken idea that anybody can be a postal clerk. A successful postal clerk must be a man of some education. He must have a quick and retentive mind, and must be able to remember and forget with about equal facility, as the changing conditions make it necessary for him to be constantly recasting his distribution and mailing schemes.

In view of these well-known facts I unhesitatingly assert that up to this time the postal clerks of the first and second class offices have not received the consideration at the hands of this House that they should. No man capable of performing the duties of a postal clerk is adequately compensated by \$600 or even \$900 per year. A man fit to be a clerk can not live and properly support his family on \$50 or \$60 per month; and since, if he gets into debt, he is liable to lose his position, he is often between the devil and the deep sea, and it is no wonder that three-fourths of the postal clerks regard their positions as only temporary, and are looking for an opportunity to better their conditions by obtaining employment outside carrying higher salaries, to the great loss of the service in the large cities of the United States. A man without any education and without any technical knowledge or experience can procure fifty or sixty dollars per month, and often seventy-five, or more, driving an express wagon or a grocer's delivery cart, where all the intellectual effort necessary is that to guide his horses.

Mr. STERLING. Will the gentleman allow me to ask him a question?

Mr. HAYES. Certainly.

Mr. STERLING. Do you not think that the postal clerks are paid just as well as the letter carriers and the rural delivery carriers, both city and country?

Mr. HAYES. I am perfectly willing to admit that in other departments of the service what I am saying as to the clerks would equally apply.

Mr. STERLING. I think your proposition is entirely right, so far as that is concerned. The clerks should be paid more, but they certainly are paid as well as the letter carriers, both in the city and in the country.

Mr. HAYES. I am perfectly willing to admit that the carriers do not receive what they ought to receive.

Mr. STERLING. All ought to receive more than they do.

Mr. HAYES. I do think, however, that in comparison with the other departments of the Post-Office service and the employees of the other Departments of the Government the postal clerks are the poorest paid of any class of Government employees.

I am aware that the fiscal year 1905, which is the last year of which we have a complete record, shows a deficit in the Post-Office Department of over \$14,000,000, and I presume that the present year and the year 1907 will show nearly as large deficits. With such a deficiency staring the Committee on Post-Offices and Post-Roads in the face I can understand their reluctance to largely increase the salaries in any department of the service, and yet I believe it is a mistake to gauge our appropriations for salary purposes by the receipts of the Post-

Office Department. This Department of the Government should not be considered solely as a revenue-producing agency. It has been created and exists primarily for the use and convenience of the people, and I have never heard a public criticism passed upon appropriations calculated to extend this convenience, or to improve the service, or to increase salaries confessedly too low.

During the last few years Congress has created and vastly extended the rural free-delivery service. I notice that the amount carried by the present bill includes \$28,000,000 for this branch of the service. Were it not for the policy which has created and continues the expansion of this service, the deficiency of \$14,000,000 would be transformed into a surplus of a like amount. I do not wish to be understood as criticizing in any way the policy as to this part of the service. I believe that no money spent by the Government is better expended, but I do not believe that the people of the United States desire the postal clerks to pay for this convenience to the country population of the United States nor any part of it; and yet I am sure that if the present deficiency of \$14,000,000 were transformed into a surplus of a like amount, the Committee on Post-Offices and Post-Roads would gladly devote a much larger sum to promotions and increases of salaries in this part of the service than the present bill carries.

Five thousand promotions, chiefly in the six and seven hundred dollar classes, are provided for in the present bill. I undertake unhesitatingly to assert that no less than three times this number of promotions should be provided for. Any clerk having served three years in the Department, who can not earn \$1,000 per year, is unfit to be in the Department at all and should be dismissed; and it seems to me that we should, by our legislation, in some manner give the clerks in this Department of the service to understand that if they prove efficient and faithful, by a series of regular promotions they may hope in a few years to come to the point where they may enjoy a salary of at least \$1,000 per year, and this as an act of justice due from the Government of the United States. This is as small an amount as a man of some education, refinement, and experience should be asked to work a year for.

I herewith present a comparative table showing the number of clerks in each grade from \$600 to \$900 per year and the clerks above \$900 per year in the service for the years 1905, 1906, and 1907. The clerks in the four grades, \$600, \$700, \$800, and \$900 per year aggregate two-thirds of the total force employed, and the proportionate number of those receiving these low salaries is constantly increasing. In the year 1905 66 per cent of the postal clerks were in these four grades. In 1906 there were 67 per cent of the total in these grades, while under the present bill 68.3 per cent are to receive between \$600 and \$900 per year, and only 31.7 per cent more than \$900 per year.

Table showing salaries of postal clerks in first and second class offices for the fiscal years named, except clerks under \$600 per year.

Salary.	1905.	1906.	1907.
\$600 per year.....	4,611	4,243	3,500
\$700 per year.....	3,808	4,155	4,565
\$800 per year.....	3,596	4,235	5,010
\$900 per year.....	2,700	2,785	3,490
Under \$1,000 per year.....	14,215	15,418	16,565
All \$1,000 per year and above.....	7,285	7,570	7,695
Total clerks \$900 per year and above.....	21,510	22,988	24,261
Increase in number receiving \$1,000 per year and above.....		275	126
Increase in number receiving less than \$1,000 per year.....		1,303	1,146
Per cent of total under \$1,000.....	66	67	68.3
Per cent of total \$1,000 and above.....	34	33	31.7

It therefore appears that while 5,000 promotions are provided for in the present bill, the condition of the clerks in the Department, as a body, is "getting no better fast." In view of this situation, what encouragement is there to the clerk to continue in the Department or to strive to be more efficient and faithful when there is no certainty that any promotion awaits him even at the end of many years of faithful and efficient service?

In one of the second-class post-offices in my district there are twelve clerks receiving less than \$800 per year, who have been in the service more than one year. Those receiving \$800 have served as follows: One eighteen years, 1 five years, 1 four years, 2 three years, and 1 two years. Three receive \$700 per year, serving as follows: One three and one-half years, 1 one and one-half years, and 1 over one year. Three are receiving \$600 per year who have served over one year. In the money-order department of this office are working side by side two clerks, doing exactly the same work, involving the same

responsibility, and requiring a like degree of efficiency, and yet one is receiving \$1,000 per year and the other \$700, and the effort of the postmaster to secure a promotion for the last-named clerk has, for a year or two past, been without result. I have no doubt that this office is typical of nearly all the offices in the United States, as I have had repeated and urgent requests from the postmasters in my district asking me to see if I could not do something to improve the conditions and increase the salaries of the postal clerks.

As probably a fair example of the first-class post-offices in the United States, I desire to call attention briefly to the post-office at Omaha, Nebr. On December 1 last there were 103 clerks employed in this office. Of these employees twenty-one were drawing \$600 per year, fourteen were drawing \$700, fifteen were drawing \$800 per year, and fourteen were drawing \$900 per year. It will thus be seen that two-thirds of the clerks in this office were drawing less than \$1,000 per year.

There is another view of this matter. A regular and general increase of salary would, in my judgment, in the end prove to be a very profitable policy for the Government. Clerks working at six hundred, seven hundred, eight hundred, and nine hundred dollars per year must necessarily regard their positions as temporary, to be abandoned when they can secure anything better outside, and many of them are securing better-paying positions. It takes some time and requires a large amount of attention on the part of the older clerks to make of green, inexperienced men, however naturally efficient they may be, valuable postal clerks, and the Department is annually losing a very large percentage of these clerks by reason of the policy of the Government in paying poor salaries and denying to this class of its employees promotions and increases of salary due them by every rule of business and justice.

In this connection I beg to quote from the postmaster at Omaha, Nebr., who, in an interview with him printed by the Omaha Bee on the 4th day of the past month, says that twenty-four of his clerks resigned during the past year and have been replaced with new, inexperienced men. This is nearly 25 per cent of his clerical force. He says:

To get valuable service out of these recruits, who in many instances seek employment in the Government service under the impression that it is only play and no work, our best clerks must be detailed to teach them what they must do. A short trial and a new man must be taken in, and so the teaching business must be continued—so that the work in the office must be done by the loyal few, and I must require the clerks to work overtime, until the best ones, drawing only living pay, will become disgusted and leave.

Again he says:

The low salaries are not economical. Inferior men, without any ambition to work and who will not study and learn the schemes because they do not care whether they keep their job or not, are costing the Government at least \$1,000 a year for every necessary man in my service.

For instance, I have thirty-two men in the mailing department. If sixteen of these men could do as well as four old-time clerks, who are spending much of their time in teaching recruits, I believe that the work could be done by the sixteen men—one-half of the present force. I do not mean by this that the men now in the department are ignorant or weak men. The only complaint is that they have not had the experience, and with the present salaries I can not expect to keep them long enough so that they may gain the experience. In short, the clerks are not paid enough, and every clerk in this Omaha office and every first-class office in the country ought to be paid as the carriers are paid—a sure advance each year up to a certain sum, not less than \$1,000 for a year's work.

Mr. BENNET of New York. Would it embarrass the gentleman for me to interrupt him?

Mr. HAYES. Not at all.

Mr. BENNET of New York. I would like simply to add that the condition which exists apparently at the Omaha and San Francisco post-offices exists also in the post-offices in our large cities in the East. They have exactly the same complaint that their most competent clerks are leaving the service and going into mercantile employment owing to the small salary they receive.

Mr. HAYES. I thank the gentleman from New York. I have no reason to suppose that the post-office at Omaha is not a fair sample of the post-offices in other parts of the United States. The cure for these evils, in my judgment, is the inauguration of a policy of promotions and increases in salaries for all post-office clerks below a certain grade by regular yearly gradations, so as to give the clerk something to work for and to hope for, and I am certain that were such a policy inaugurated and properly carried out, the ultimate result would be not a large increase in the cost of the service, but a great increase in the efficiency of the clerks in the various first and second class post-offices in the United States, and a considerable decrease in the number employed.

I do not wish to be understood as denying that other departments of the service—for example, the carriers—have just claims which should receive the careful attention of this House,

and if their claims are found to be just and proper, as some of them no doubt are, they should be generously provided for.

If it is already too late to change the policy of the Government or of this House, so far as the present bill is concerned, I wish to express the hope that when the post-office appropriation bill is framed for the fiscal year 1908 the committee may see its way clear to granting deserved and much-needed relief to the clerks in the first and second class offices of the United States by providing for compulsory promotion of all who receive less than a certain fixed sum, which sum should, I believe, be \$1,000 in second-class and \$1,200 in first-class offices.

When they understand the subject, both business considerations and sentiments of justice will cause the vast majority of the people of the United States to desire that we should not in effect by our failure to adequately legislate on this subject write over the entrance to every first and second class post-office in the land these words: "Abandon hope, all ye who enter here." [Loud applause.]

Mr. OVERSTREET. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. GRONNA].

Mr. GRONNA. Mr. Chairman, having under consideration the Post-Office appropriation bill (H. R. 16953), which appropriates for the fiscal year 1907, \$191,383,848.75, I wish to call attention to one or two items.

The Department's estimate for the fiscal year 1907 is \$181,573,264. Of course this is only an estimate—it may be more or less. At any rate, there will be a deficit for the next year, but a considerable less amount than last year's deficit, which was more than \$14,000,000. The Post-Office Department is, however, the only Department which is nearly self-sustaining, the revenue being derived from the amount of business done and paid by anyone and everyone who mails a letter or package.

In this connection, I want to say a few words relative to the rural free-delivery service—the only direct benefit the farming community derives from the Government without having to pay a hundred cents on the dollar for it. A joint resolution passed the Fifty-first Congress and was approved October 1, 1890, authorizing the Postmaster-General to test the free-delivery service in small towns and villages. We find in ex-Postmaster-General Wanamaker's report for the fiscal year 1901 that an experiment had been made in forty-six communities, with the result of showing an increase in seven months in the gross receipts of \$5,506.10, as against the total cost of carriers of \$4,320.60, leaving a net balance as profit to the Government of \$850.50 and to the credit of the free-delivery service. We also find that ex-Postmaster-General Bissell, in his report for the fiscal year 1894, referring to the service, said:

The experiment of free delivery in the forty-six towns and villages in which it was established about two years ago was continued during the fiscal year 1893-94, at a cost of \$3,900.44. Nothing transpired during the year in connection with this service to cause me to change the opinion expressed in my last report against it. This service should be discontinued, or—granting, for the sake of argument, that the experiment has shown satisfactory results—should be extended to 40,000 other post-offices.

It was at this time that Congress discontinued the appropriation for this service. In the year 1896 it was that the first rural free-delivery routes were established, and then only as an experiment, as it was estimated it would require from forty to fifty million dollars per year to continue it. We also find in a statement taken from the last report of the Postmaster-General, showing the number of routes established and the amount of money expended from 1898 to 1905, as follows:

Year.	Total amount appropriated.	Total amount expended.	Number of routes in operation.
1898.....	\$50,250.35	\$50,241.06	148
1899.....	150,032.79	150,012.48	391
1900.....	450,000.00	420,433.17	1,274
1901.....	1,750,796.29	1,750,821.35	4,301
1902.....	4,089,075.20	4,089,041.71	8,492
1903.....	8,580,364.31	8,051,599.79	15,111
1904.....	12,926,905.44	12,645,275.79	24,568
1905.....	21,115,000.00	20,874,618.75	32,055
1906.....	25,828,300.00		

You will see, Mr. Chairman, from this report that \$20,874,618.75 was used to operate 32,055 rural routes, making an average cost for each carrier of \$651.21. Now, then, each route serves approximately 100 families, making a total of 3,205,500 families served, at about a cost of \$6.51 for each family. Just multiply this number by 5, which is a fair average for families in the rural districts, and the result will be you have 16,027,500 people served, at a cost of \$20,874,618.75, or about \$1.32 per capita. And, too, we have not made any allowance for the saving to the Government from the discontinuance of small post-

offices and star routes where rural routes have been established in their stead, but it is safe to assert that, this feature taken into consideration, it would probably reduce the cost of operation to less than \$1 per capita.

The number of carriers for city free-delivery service for 1905 was 21,778, at a cost of \$20,919,078.13, or at the average rate of \$960 for each carrier. Now, why this discrimination? The rural carrier is paid \$720 per year and furnishes his own conveyances, feed for his horses, and receives, as stated, \$720 per annum, or \$60 per month.

Mr. STERLING. Do you know how much this appropriation would have to be increased in order to increase the pay of the rural carriers to \$900 a year?

Mr. GRONNA. If you calculate the number of routes that we have to-day, it would take \$4,000,000 to give each rural carrier an increase of \$10 per month.

Mr. STERLING. Do you propose to offer an amendment to this bill to that effect?

Mr. GRONNA. The gentleman from Ohio [Mr. SMYER], I understand, has already offered an amendment. He has offered an amendment to increase the pay of the rural free-delivery carriers \$10 per month, and I am in favor of that amendment.

Mr. Chairman, I listened with a great deal of pleasure to what the distinguished gentleman from Vermont [Mr. FOSTER] and also the gentleman from Ohio [Mr. SMYER] said on this question. I am glad to know that the East has among some of its ablest Representatives men who are friends of the farmers and who favor this measure.

I don't want you to figure this on the same basis as does the Massachusetts Republicans—that is, to have the farmer's products and all raw materials put on the free list and their own trust-made goods highly protected. It is not my wish to make a tariff speech just now, but I want to say (and with due respect for all of my colleagues), and in all candor and earnestness, that the farming interests, and especially the western industries, must be recognized and treated fairly. The farmer may be slow in exercising his rights, but he is, however, intelligent enough to know when he is being discriminated against.

Why should not our six million or more farmers, who from last year's production added to our national wealth \$6,500,000,000, be entitled to the same consideration that the people in the cities receive. From 35 to 40 per cent of our entire population live on farms, and produced last year 2,708,000,000 bushels of corn, valued at \$1,216,000,000; 684,000,000 bushels of wheat, valued at \$525,000,000; \$605,000,000 worth of hay; \$138,000,000 worth of potatoes; \$575,000,000 in cotton. We raised 939,000,000 bushels of oats, valued at \$282,000,000; \$138,000,000 worth of barley; \$52,000,000 worth of tobacco; \$50,000,000 worth of sugar cane and sugar beets. We produce every year from six to nine million pounds of rice, and why are we not entitled to the best mail service that will enable the farmer to get his daily market reports and papers promptly. The farmers, as a class, are the most intelligent people we have in our entire country. Our ablest men, men possessed of the strongest kind of character, have been reared and educated within the environments of the farm.

The expenditures of the postal service for the year 1905 are shown, by items, in the following statement:

Transportation of mails on railroads	\$39,384,916.17
Compensation to postmasters	22,743,342.03
Compensation to clerks in post-offices	21,215,303.41
City free-delivery service	20,919,078.13
Rural free delivery	20,819,944.69
Railway mail service, salaries	13,120,155.78
Transportation of mails on star routes	7,326,596.57
Railway post-office car service	5,509,044.65
Transportation of foreign mails	2,693,812.09
Rent, light, and fuel for first, second, and third class post-offices	2,568,572.73
Compensation to assistant postmasters at first and second class post-offices	1,895,142.72
Mail-messenger service	1,221,903.25
Transportation of mails—regulation, screen, or other wagon service	1,113,497.90
Special-delivery service	855,185.67
Manufacture of stamped envelopes	847,893.08
Transportation of mails on steamboats	685,591.25
Transportation of mails, electric and cable cars	521,825.79
Pneumatic-tube service	355,413.44
Manufacture of postage stamps	381,841.61
Mail bags, cord fasteners, label cases, etc.	335,437.97
Salaries of post-office inspectors	334,883.28
Miscellaneous items at first and second class offices	237,987.74
Wrapping twine	203,201.16
Registered package, tag, official, and dead-letter envelopes	197,716.76
Cancelling machines	186,721.19
Manufacture of postal cards	166,420.29
Payment of money orders more than 1 year old	164,820.91
Per diem allowance of post-office inspectors	164,800.00
Balance due foreign countries	134,891.24
Transportation of mails, special facilities	134,693.87
Blanks, blank books, etc., for money-order service	122,575.67

Salaries of clerks and miscellaneous expenses, mail depredations, and post-office inspectors	\$84,336.81
Wrapping paper	69,989.32
Railway mail service, acting clerks, for clerks injured on duty, and death indemnity	68,502.40
Railway mail service, miscellaneous office expenses	52,503.40
Stationery for postal service	64,991.32
Mail locks and keys	44,267.91
Railway mail service, per diem and expenses of assistant superintendents	26,445.05
Post marking and rating stamps	24,762.68
Advertising at first and second class post-offices	24,062.57
Expenditures under 26 smaller items of appropriation (less than \$20,000 each)	158,827.29

Total expenditures for the year	167,181,959.79
Add expenditures during the year on account of previous years	217,209.44

Total expenditures during the year	167,399,169.23
Excess of expenditures over receipts	14,572,584.13

Receipts	152,826,585.10
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You can readily see, Mr. Chairman, from this statement that the rural free-delivery carrier is being paid the lowest salary of anyone within the employ of the Government, and I ask that the carriers' pay be increased at least \$10 per month or \$120 per year. It would require only \$4,000,000 for the entire service to grant them this increase.

The carrier in the city who does not require any conveyance (and if he does the Government pays for it) receives \$960 per year, or \$80 per month. Now, why this difference? The rural carrier has just as much responsibility, is just as intelligent, and is often compelled to travel in stormy weather, when in some localities his very life is in danger; still he is paid on an average of \$20 less, saying nothing of his investment necessary for equipment. But you may say the city carrier does, in some instances, require horses and wagons, bicycles, or is compelled to travel on the street cars. That may be true, but does not this bill make an allowance of \$725,000 for horse hire and \$340,000 for car fare and bicycles, making a total of \$1,065,000? Add to this \$22,228,000 appropriated for city delivery service and you have a grand total of \$23,293,000.

While I do not favor extravagance in the use of Government funds, I do believe it important that we should allow these carriers a fair and reasonable compensation, otherwise you can not hope to maintain this service which the farmers so highly appreciate and which adds to their comforts and benefits in many ways, enabling them to keep in touch with the balance of the world, literally speaking, in receiving their papers and magazines, which in themselves are an education.

So long as we continue to grant subsidies to railroad companies we should not preach economy. Why, this very bill, unless amended, appropriates \$142,728.75 to trunk lines from Washington to Atlanta and New Orleans for necessary special facilities, and \$25,000 to trunk lines from Kansas City, Mo., to Newton, Kans., for continuing necessary and special facilities.

Now, why first pay the railroads for carrying the mail and then grant them subsidies under the name of "special facilities?" We farmers do not ask for any subsidy. All we want is a fair and reasonable remuneration for our honest work.

I want to serve notice now that when this bill comes up for final passage this provision of the bill I shall oppose. I do not believe in these special privileges to any corporation, because it is the very means of creating trusts and monopolies at the expense of the common people. I am not here, Mr. Chairman, to array any one class against another; I am not here to advocate any special benefit for any industry that may be detrimental to any other industry and oppressive to the people. All I ask is that you grant us, in the spirit of fairness and justice, the same privileges, the same opportunities that you do to others. The American farmer, although the very backbone of our country, has never been unreasonable. He is always willing to give and take, but he does ask and does expect that honesty, fairness, and reasonableness shall prevail. I want to say further that so long as the people of the great State of North Dakota shall send me here as their Representative you must expect me to contend for their interests to the extent of my ability and power. Let us enact good, honest, wholesome laws, and then fearlessly enforce them. [Applause.]

Mr. OVERSTREET. Mr. Chairman, I yield fifteen minutes to the gentleman from Massachusetts [Mr. TIRRELL].

Mr. TIRRELL. Mr. Chairman, on Thursday of last week the gentleman from Illinois [Mr. RAINEY] promulgated certain charges against the watch companies of this country, and especially against the American Waltham Watch Company, located in the district in Massachusetts which I have the honor to represent. I propose to consider a few of those charges—not all of them; nor shall I be diverted to those I do not discuss, as the

time allotted to me is entirely inadequate even to cover thoroughly the points I propose to take up here to-day.

The first charge made by the gentleman from Illinois, which he rolls as a sweet morsel beneath his tongue, is that the Waltham Watch Company and the other watch companies of this country are in a trust. Lest I may misrepresent the gentleman, I desire to call attention to his exact language in the Record, where he speaks upon this matter. He says:

I have in my possession some of the export catalogues issued by the American watch trust—by the Keystone company and by the Waltham company and by the rest of them.

Then further on, when my colleague from Massachusetts [Mr. GARDNER] stated that he was a stockholder in the Waltham Company, and that he had never heard that that company was connected with any trust, the gentleman from Illinois refers him to the Ways and Means Committee for information upon that subject, and then a little later on he reiterated what he said upon that point, adding that when a certain consignment of watches which had been sent over from Europe to this country arrived at the port here, he adds in connection with that matter:

When they reached the custom-house in New York they were met by the agents of the watch trust; and I use the term advisedly, in spite of the fact that we have a plutocrat in this House who, by his own admission, is a holder of large blocks of stock in that trust.

Now, I hold in my hand a circular letter which has just been issued by the Waltham Watch Company and signed by E. C. Fitch, the president, and Royal Robbins, treasurer of that company, men of character, men of probity, men of the highest honor, men who are leaders and captains of industry in our section of the country, men who would not attach their names to a statement unless it was absolutely true. Now, let me read to you what these men say on that very point.

Mr. GILBERT of Kentucky. From what paper is the gentleman about to read?

Mr. TIRRELL. This is the Boston Advertiser, of April 7, 1906, and the same statement is also published in other papers in Boston of the same date. They say:

First, we wish most emphatically to state that, so far as we know or are concerned, there is no watch trust in the United States and there never has been. The various American companies are, so far as we have any knowledge, absolutely independent, and operate entirely and solely with regard to their own separate interests. This is not only the condition here to-day, but has always been so.

Now, do you suppose that these men will attach their signatures to a statement like that, to be circulated and disseminated all over this country, unless it is absolutely true? And do you not believe that these men know whether their own company is in a trust? And would they not be likely to know, in the acute competition that there is in the watch business in this country, and, indeed, throughout the world to-day, whether there is any watch company in this country in any trust?

Now, I take up the second allegation of the gentleman from Illinois [Mr. RAINEX], which is that while there are, he says, 15 per cent (and I do not know where he gets that figure), while there are 15 per cent more men employed in the watch factories of this country than there were in 1880, yet the character of the labor employed has deteriorated, because there are more women and 200 per cent more children employed in the watch factories of the country than there were twenty years ago.

Now, I read to you from the letter of the president and treasurer of the Waltham Watch Company upon that particular point, in which they say:

The Waltham company never employed children in any capacity whatever. On the other hand, the employment of children in watch manufacturing is common in Switzerland. In spite of this fact, a recent slight advance in Swiss wages was promptly followed by an increase in the price of Swiss watches throughout their home market.

But I am not relying on the statement of the American Watch Company to corroborate what I have said. I hold in my hand the census bulletin issued May 21, 1902, giving full particulars in regard to the watch industry of this country, and on the fourth page thereof I read as follows:

There are practically no children employed in the industry.

Then, in searching over the tables in this bulletin, I find that in all the establishments throughout the whole of the United States engaged in the manufacture of watches there are at the present time just twenty-six persons employed who are under 16 years of age.

Then go back to the statistics of twenty years ago, and I find there were twenty-four employed. You can not find, in my judgment, a manufacturing industry in this country, and possibly in the world, where there are so few in comparison with the entire number of employees who are under 16 years of age, for there are employed of men alone in the watch industry in this country 6,880 persons.

Now, I take up the third charge made by the gentleman from

Illinois, and that is that the tariff has not been instrumental in increasing the wages of employees in the watch factories in this country. In regard to that I have here the statement made by the American Watch Company that the wages paid in our watch factories in the United States are from two and one-half to three times the wages paid to the Swiss workmen. There are 40,000 people employed in the manufacture of watches in Switzerland. Those 40,000 people produce 40 watches apiece a year. We are employing in our watch factories 6,880 and in collateral branches of the business 3,000 or 4,000 more, in round numbers 10,000 people, and we produce in this country to each one of these employees 250 watches a year.

The statement made by the gentleman from Illinois that there has been no substantial increase under the fostering influences of our tariff in the development of the watch industry in this country is contradicted in toto by the census bulletin to which I have referred, for I find that the total value of the assets in the watch business in this country in 1870 was \$2,686,133, and in 1900 it was \$14,235,191, an increase of over 500 per cent. Not only that, but I find by still further investigation that the business has so increased that our exportation of watches to foreign lands during this same period has rolled up 180 per cent, while there has been a decrease of the imports of foreign watches of 53.5 per cent all along the line.

Now, as to the amount of wages paid. The wages of the women employed in the watch factories of this country year after year, not allowing for a single holiday, not allowing for any stoppage of the business or any breakdown or depression in the trade, the average earnings of the women employed in the watch factories in this country is almost \$400 a year, or \$385. Just think of that! If you take out the days when the factory must necessarily be stopped for repairs for certain periods during this long lapse of years since 1880, when statistics began, then you will have the facts as stated in the census bulletin, that the women in the factories are receiving nearly \$400 a year. Duplicate that, if you can, in any other industry either in a foreign country or in our own land.

What are the wages of the men in the watch factories returned in the same manner? Seven hundred dollars a year is their average wage. So, then, we have this condition of things—an industry which in its capitalization has increased 500 per cent, and since the protective tariff policy of the Republican party has been in operation an increase of foreign exportation of 180 per cent, and wages two and a half to three times that paid in Switzerland to-day, and the employment of the large amount of capital, adding to the taxable assets of the country what I have stated.

There is one more charge—because in my limited time I can not dwell upon these things as I want to—and that is the charge that the American watches are sold cheaper in foreign markets than here. It seems that my friend from Illinois must be strangely ignorant of the economic and business principles which govern all our American manufactures in placing their products in foreign lands. I want to illustrate this by a concrete example with which I am conversant. I am interested as trustee in the manufacture of wood pulp, representing as trustee one of the largest mills in this country. This is an industry of which we knew comparatively little twenty-five years ago.

Our pulp mills, except the outer walls, have been remodeled and torn to pieces twice during that time, but the ingenuity and genius of the American people in a very few years placed it on a permanent basis, and not only upon a permanent basis, but enabled them to manufacture pulp in such quantities that it was impossible to place the whole of our pulp here. Now, when any manufacturing industry produces more than the home market can consume one of two things inevitably follows. You must either shut down your factory until that surplus supply which has accumulated in the warehouses has been disposed of in the domestic market or else you must sell it abroad. Now, if you sell your product abroad—

Mr. GILBERT of Kentucky. Will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. TIRRELL. I do.

Mr. GILBERT of Kentucky. Will it profit the home industry to sell a manufactured product abroad cheaper than it costs to produce it and ship it abroad?

Mr. TIRRELL. Yes, sir; in some cases it will; and if I have time enough I will demonstrate that here by my own practical experience in business, which is the experience of other manufacturers in other industries. It has to be done if you keep your factories open. The factories which produce more than the domestic demand can take care of—

Mr. GILBERT of Kentucky. How will it pay the home industry to sell it at less to the foreigner abroad?

Mr. TIRRELL. I will show exactly how it can be done. Now, wait one moment, gentlemen, and I will illustrate it.

Mr. WILLIAMS. Before the gentleman answers that question, because I desire to ask another in that connection which is cognate or akin to it—if you reach that stage of production where you have produced a surplus which it pays you to sell at less than it cost rather than close down your factory for a time, why should you ship that surplus to the foreign market to benefit the foreign consumer rather than sell to the American consumer at less than the cost? In other words, why should you give the foreigner the benefit of that surplus production rather than give it to your own people?

Mr. TIRRELL. In making that remark the gentleman knows very little in regard to the pulp business I am talking about—a great business which produces the paper which is put into our books and magazines—because, now, sir, the margin of profit is so small upon paper and pulp that it is a slight fraction of a per cent, and it is only by the manufacture of an enormous quantity of output, and running your factory day and night, that the paper makers and the pulp makers of this country can make even a modest dividend, and most of them during the past ten or fifteen years have been running on such a small margin as to make no dividend at all.

The CHAIRMAN. The time of the gentleman has expired.

Mr. OVERSTREET. I yield five minutes more to the gentleman.

Mr. WILLIAMS. The gentleman does not seem to have understood my question.

Mr. TIRRELL. If I can only get ten or fifteen minutes I will answer it fully, Mr. WILLIAMS; but I ought not to be diverted, as I said in the first place; I am only allowed a very short time, but I will try to illustrate it to you. I beg the gentleman's pardon, I would be very glad to answer questions, but only being allowed five minutes I must conclude at that time unless my time is further extended, which I shall be glad to have done to answer these questions. I want now to attempt to illustrate why the manufacturers do that thing and why it is necessary to do that thing. Now, we will suppose, for example, a pulp mill costs \$1,000,000. We will suppose that they manufacture 25 per cent more than can be disposed of in this country, which is practically the case in regard to that industry. Now, then, that 25 per cent must lie in the warehouse until it is sold at a small fraction of a profit and the mill be closed up or else it must be sent abroad and sold at some price over there.

Mr. WILLIAMS. Why not sell it at some price here?

Mr. TIRRELL. Wait a minute, sir. The demand and supply makes a very small margin of profit, and do you ask that the American manufacturer in our own country shall sell his product at a loss? Is he not entitled to a small margin of profit, instead of going and dumping all of his surplus product on the market and lowering the whole price of that manufacture?

Mr. WILLIAMS. I do not ask him to sell at a less price than he does elsewhere.

Mr. TIRRELL. Now, the reason why that is done is this: The fixed charges on the plant are running all the time. We will suppose the plant cost \$1,000,000. Now, it is idle, say, for two and one-half months. The fixed charges are running on; the price of everything is running on; all except the day labor is running on. The manufacturer's cost is increased by the mill lying idle in that way with all of these fixed charges running on and no product being obtained from the mill. So that if the accumulated surplus is sold in this country two results will follow. First, the home market being fully supplied purchases will not be made, that surplus can not be placed unless it is sold at a reduced price, which means, in the case to which I am alluding, at less than cost. Second, the mill will soon have to be shut down again, for it is the surplus above the home demand of which we are speaking, and the market having been already supplied here at home with all the product it can handle, and the manufacturer producing 25 per cent more than the home market can handle, it is inevitable that the mill must close until its production again corresponds with the demand. Thus its wage employees are thrown out of employment and the manufacturing cost largely increased under the condition suggested by the able and versatile gentleman from Mississippi.

The American manufacturer, when he produces more than the country requires, in order to make this small margin of profit has got to keep his mill going day and night in many industries. He must do so in the case I have cited. It is the only way he can make money and pay any dividend whatever, because the shutting down of his mill entails a large loss on account of the conditions attached to the business, and in order that he may do this and meet expenditures the

American manufacturer sells his surplus product at some price upon the other side.

Now, when he first goes into a new country, when the people do not know the character of our goods abroad, they sell them for a loss, but when their establishments are planted in Belgium, England, and other countries they make a fair profit; and if you read that circular of the Waltham company, which I propose to have published in the RECORD, you will find they do the same thing over there when they are establishing their trade. They do not at first make a profit on their goods. It is only where they are seeking to establish trade, where they have got to compete against conditions that exist, where there are different kinds of credit and difference in methods of sale, and difference in transportation, difference in method of carrying on the business, and where these things must be overcome, and can not be overcome unless you put the prices on your goods so low that the people will buy anyway, on the theory that men will buy where they can buy the cheapest, that this course is pursued; only in such cases are goods sold at or under cost. But after the trade is established, after the houses are planted, after they have obtained salesmen who speak the language to sell the goods, after they have gotten over the difficulties of the transportation question, and after the American product has become firmly fixed in the approval of the people by the use of the article introduced in this way, then it is not necessary, for the foreign purchaser will then buy the goods anyway, and the American manufacturer gets a profit.

Mr. STERLING. They do the same thing in this country in localities wherever they introduce their business.

Mr. TIRRELL. Certainly; that can be easily demonstrated, and that is the reason, and the only reason, why the American manufacturer ever sells at less than cost abroad. It is to establish its trade; it is to fill up a gap, so that he can keep his mill running, so that he can sell the domestic product here at home at a small margin, as he is obliged to do with the acute competition that exists in the United States.

This is the course the Waltham company has followed. That it results as I have stated is evidenced by the fact that that company states that manufacturers and merchants doing an export business must necessarily make considerable price reductions to induce foreign buyers to substitute the new for the old, emphatically, however, asserting that Waltham watches are not sold, except in such cases as I have called attention to, at lower prices than those prevailing here.

Germany, whose wonderful industrial development since Bismarck abandoned his free-trade propaganda and advocated a protective tariff has excited the wonder of the world, has conspicuously followed this practice. It will not soon be forgotten by many of us who heard the debate on Cuban reciprocity in the Fifty-seventh Congress, how that was illustrated by the sugar schedule, by which, in order to dispose of their surplus sugar abroad, so low an export price was fixed in Germany that the home price was about double the foreign and bounties and differentials were paid to equalize the trade.

I do not approve of a policy that would increase the price to the home consumer like that; such a policy is sacrificing a home market for a foreign. It illustrates, however, the extremity to which Germany has gone to secure our trade. It proves that our export trade can not be limited by the prices and terms that govern at home. How much wiser and more farsighted the American policy that sells here its products on small margins and great output, disposing of its surplus in such a manner as to insure a permanent business abroad. [Loud applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. TIRRELL. I ask unanimous consent to insert the circular letter of the Waltham Watch Company in reply to the address made by the gentleman from Illinois [Mr. RAINEY] in the RECORD as a part of my remarks, and also leave to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

The letter is as follows:

"NO WATCH TRUST EXISTS"—WALTHAM WATCH COMPANY ISSUES REFUTATION—SAYS THE ATTACK ON OUR TARIFF WAS INSTIGATED—SWISS POLICY IS TO INJURE UNITED STATES INDUSTRY—FOREIGN MARKET MUST BE HELD TO OFFSET DULL TIMES.

In view of the various articles which have appeared of late in the public press, more or less openly in the guise of advertisements, we feel it advisable to depart from our usual policy and to make a brief statement of the actual conditions which govern the watch industry to-day.

In the first place, we wish most emphatically to state that, so far as we know or are concerned, there is no watch trust in the United States, and there never has been. The various companies manufacturing watch movements in the United States are, so far as we have any knowledge, absolutely independent each of the other, and operate entirely and

solely with regard to their own separate, individual interests. This, we repeat, is not only the condition of affairs to-day, but has always been so.

Secondly, as to the export business. We are the largest exporters of watches in the world, and we are proud of the fact. At a dinner recently given in Cairo, Egypt, to a number of Egyptian officials and prominent American representatives it was stated by the president of one of the greatest and most successful mechanical industries of the United States that the American Waltham Watch Company had done as much if not more than any other company to educate the people of the world to an appreciation of the excellence of articles of American manufacture. For more than a quarter of a century it has been the effort of this company to push the sale of American Waltham watches in all parts of the world, thereby demonstrating for the first time that a thoroughly accurate and reliable timepiece can be made and supplied at a price within the reach of everyone. The ability to do so is owing wholly to the superiority of the American workmen and the invention of automatic tools and improved methods.

It can be readily understood that this great exploitation of American watches in foreign countries has necessarily interfered to a large extent with the conditions formerly existing in those countries, and especially with the Swiss watch industry. In retaliation the Swiss manufacturers of watches have combined to combat our competition in every possible way, and have, as we are reliably informed, subscribed a large sum of money to influence public opinion in the United States, and have not hesitated to employ somewhat questionable methods to injure the American watch industry, with which they are entirely unable to compete fairly, either at home or abroad, quality for quality and price for price.

At present this foreign syndicate is attempting to regain the ground already so thoroughly lost in the United States by means of a cry of exorbitant profits by American manufacturers and dealers. Curiously enough, they simultaneously endeavor to influence retail dealers to sell Swiss watches by the sole argument that the dealers can thus obtain much higher profits. These the dealers are, in fact, able to obtain in many instances for the reason that the Swiss manufacturers are prepared to supply to the retail dealers watch movements without any trade-mark or other distinguishing characteristics, thereby making it impossible for the intending purchaser to tell what the quality really is, or to ascertain the actual value of the watch. The dealers are thus enabled to sell a Swiss watch of unknown and inferior quality at a price much higher than they would be able to obtain for an American watch of well-known grade and trade-mark and of a better quality. A similar high profit can not be obtained in American watches for the reason that the trade-marks, grades, and approximate prices are so well known to the public. In the instance where well-known and high-class Swiss trade-marked watches are dealt in, the sale is confined to one leading house in each city, so that there shall be no competition, and a profit, frequently as high as 100 per cent, can be secured for a timepiece no better than and often not as good as an American watch costing half the money.

In spite of the various devices employed by them to bring about a large retail profit in the sale of their own watches, the European manufacturers in the attacks recently instigated on the tariff have laid much stress on our contract plan for the selling of railroad watches.

This brings up the entire question of the necessity of profit for the dealer. Conditions governing the sale of watches are radically different from those obtaining in other branches of trade. The seller of a watch is expected by the purchaser to be responsible for it as long as he lives or is in business. Week after week, month after month, the wearer expects to have it regulated, compared with standard time, and adjusted, generally without charge. All this costs the retailer time and money. Watch buyers desire to have the advice and personal care of the best and most expert watchmakers they can find, and it takes years for a good mechanic to acquire the necessary education and experience. The dealer, therefore, is entitled to a fair profit, and we do not think the American public is disposed to approve the efforts of Swiss manufacturers to prevent his getting it except in their own goods. The trick is too transparent to be good tactics.

It is well understood among all manufacturers and merchants doing export business and introducing new and unknown articles into a foreign market that it is necessary to make very considerable price reductions in order to induce the merchants of that country to substitute the new for the old. This does not mean, however, that the article costs the consumer any less than he pays for the home product, the difference being that added inducements are given by the manufacturer to the foreign merchant for his time and effort in introducing the goods. It is a fact that Waltham watches are not sold to the consumer abroad at lower prices than those prevailing in this country, although in order to introduce them abroad the company is obliged sometimes in the first instance to make somewhat lower prices to the dealers. This condition of affairs is due partly to the reasons given above, and even more largely to the fact that dealers in foreign countries are used to the larger profits which prevail in the Old World, and are unwilling to spend time and effort to substitute a new article at less profit.

A word as to the respective conditions of wage and labor cost here and abroad. Although the products of the Waltham company have to meet in foreign markets the watches of Switzerland on even terms, the wages paid at Waltham are the highest in the world, and are from two and a half to three times the average pay received by the Swiss workmen.

There are many more men employed to-day by the Waltham company than ever before, and at higher wages. There are also more women employed, and at higher wages. The Waltham company does not, and never did, employ children in any capacity whatever. On the other hand, the employment of children in watch manufacturing is common in Switzerland. In spite of this fact, a recent slight advance in Swiss wages was promptly followed by an increase in the price of Swiss watches throughout their home markets.

Although the Waltham company has been steadily reducing prices during the past two years, wages have never been so high at Waltham as at the present time.

It should also be stated that the establishment of a foreign market is necessary in order to safeguard an industry at home. In periods of depression a manufacturer can, by selling an important part of his product abroad, keep his shops open and his workmen employed at home until the time of stagnation is over. Without the foreign market, which is not available unless previously developed, his only alternative would be to shut down his works and throw his people out of employment. In other words, the establishment of this foreign market furnishes an outlet which provides steady work for the American wage-earner.

If the manufacturer does not have a foreign outlet, the injury falls, not upon him alone, but upon his employees; for in the absence of such outlet, in case of hard times or a lessened demand, he must curtail his production and to just this degree throw his people out of work. With his foreign market established he can keep his shops open until the return of good times or of increasing home demand. An illustration of this situation can be found in our own experience during the panic of 1893 and 1894. If it had not been for our foreign trade we should have been completely shut down, but by the help of our foreign outlet our works remained open during this generally disastrous period, while our competitors who had not established for themselves a foreign market were, in most instances, obliged to stop running.

The foreign manufacturer, whose own home market we are thus invading, is in the strange attitude of professing indignation at the prices at which our watches are sold in the United States at the same moment that he is making every effort to regain his lost footing here by offering 100 per cent profits to the retailer at the expense of the public.

The products of the Waltham company reach the consumer at a fair profit to the dealer, and are sold, both at home and abroad, at as low prices as are consistent with high quality and a rate of wages unequalled in the world.

AMERICAN WALTHAM WATCH COMPANY,
By E. C. FITCH, President.
ROYAL ROBBINS, Treasurer.

Boston, April 6, 1906.

Mr. OVERSTREET. I ask the gentleman from Tennessee to occupy some of his time.

Mr. MOON of Tennessee. I yield to the gentleman from Mississippi three minutes.

Mr. WILLIAMS. Mr. Chairman, the address which we have just heard is one of the most important that has been made to this House; and I wish to call attention to it. It is the first time that there has been a fair and a frank confession and an attempted defense of this actual existing condition—of the fact that American manufacturers habitually sell cheaper to foreign than to American consumers. The gentleman attempts to explain the condition in a way that has been attempted before, when the explanation was not, however, coupled with the confession of its existence, but strangely coupled with a denial. The gentleman contends that we ship abroad to sell cheaper than we do at home only the surplus products of his particular form of manufacture. The inference is that this surplus theory is to be the keynote of Republican defense of this entire system of selling cheaper abroad than at home. After having said that, and after having undertaken to demonstrate that the system of selling a surplus abroad cheaper than at home is necessary in order to keep the American factory running, he was then asked this question: "But suppose that having reached the stage of production where it pays you to sell part of your product—the surplus—at a loss rather than to close down your factory temporarily, why is it that you sell that surplus abroad—abroad only, and not at home—at less than cost?" [Loud applause on the Democratic side.] That question the gentleman has not answered, and that question the gentleman never will answer, because the gentleman dares not answer it. Now, I will answer it for him. I will tell you why it is only abroad that he and others sell their surplus cheaper than cost. Granting, for the sake of argument, that the need to dispose of a surplus is the real underlying reason for the system—and we all know, as a matter of fact, in a majority of cases it is not, because in a great many products they have been carrying on the system for six, eight, ten, or twelve years; and no man, gentlemen, will sell for a series of five, ten, or twelve years at a loss abroad or anywhere else. But, for the sake of argument, admit that they sell only the surplus, and that it is sold cheaper than cost, which is also a doubtful if not a demonstrably incorrect statement, why is it sold abroad only? Why can not the American consumer have some of the benefit?

I will tell you. It is here at home, with a sheltered market; sheltered by the tariff for the planting and growth and fruitage of combinations between manufacturers—I will not use the word "trust," because it seems a red flag in the eyes of a great many people—that the combination rendered possible by the tariff exists. Their price agreements extend only to the home market. The so-called "surplus" in America is only a surplus at the agreed price; at a less price there would be no "surplus." The moment he undertook to sell the surplus at home at less than the agreed price he would break the market—he would break the prices agreed upon by the various factories entering into the combination. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON of Tennessee. I will give the gentleman two minutes more.

Mr. WILLIAMS. And the moment that set in, then the hope that the Republican party has held out to the American people, that in the long run protection would not increase the price of living to the consumer, would be a hope possible of realization. Competition would really set in among home producers of the given article. Each member of the combination would proceed

to sell in competition with the other members of the combination, and the American people would first get their products cheaper, and ultimately get them absolutely cheap.

Ah, Mr. Chairman, there is the gist of it. Why do they sell the surplus abroad only, cheaper than the scale price? Why don't they give us the surplus, and give the foreigner, under the benefit of whose laws their industry has not been created and made prosperous at their expense—why don't you give us the benefit of the surplus prices; to us who by our laws have enabled you, at our expense, to be more prosperous than you ever otherwise would have been, and give the foreigner "the real thing?" [Applause on the Democratic side.]

I have thought it well, Mr. Chairman, to call attention in this brief way to this vital point of omission in the gentleman's argument. [Applause.]

Mr. MOON of Tennessee. I yield thirty minutes to the gentleman from Louisiana [Mr. MEYER].

Mr. MEYER. Mr. Chairman, in the brief remarks that I shall make I will not attempt to cover the wide field with reference to the subject of the special mail appropriation, which has been so ably covered by the gentlemen who have spoken in favor of that proposition; but I deem it proper as a Representative of the city of New Orleans, whose people believe themselves largely benefited by that legislation, that I should say a few words in its behalf.

Mr. Chairman, the pending bill making appropriations for service of the Post-Office Department for the fiscal year ending June 30, 1907, contains an appropriation which the report of the committee correctly states is similar to those made for a series of years in former acts, as follows:

For necessary and special facilities on trunk lines from New York and Washington to Atlanta and New Orleans, \$142,728.75: *Provided*, That no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interest of the postal service.

APPROPRIATION HAS PRECEDENTS.

The amount of this appropriation is not large. It is indeed very small compared with the aggregate of the bill, which carries appropriations largely in excess of \$191,300,000. It affects the business interests of New York and other great commercial cities and centers of the East, to whom it is deeply important to have speedy mail and freight communication with the South and Southwest. It concerns the banker, broker, manufacturer, and the ordinary dealer. To the commercial cities and people of the South living on or near this great trunk line and the branch or lateral railroads connecting with it and profiting by this speedy mail communication this appropriation possesses the greatest possible value.

They do not share in the comparatively small payment made to carry it out, for hardly any of them, I believe, are stockholders in these railroads, but they do share in the great benefit of speedy mail communication. Hence it is that whenever this appropriation has been assailed or menaced the intelligent commercial bodies of the southern cities have come to the rescue and urged that this appropriation should not be disturbed. This interest is felt in a marked degree in the city I represent, but I do not believe that the interest of New Orleans in the policy now pursued is any greater than that of Atlanta or other communities lying on the line of route described in the appropriation.

The appropriation proposed follows the language of former appropriation acts, and it is hard to see how it could be more carefully guarded than it is. It is for "special facilities" on "trunk lines"—that is to say, for extra speed and quicker delivery. It is not merely for "special" facilities, but for "necessary" facilities. Nor is it an absolute appropriation, where the money is to be spent, right or wrong. The money is only to be spent if the Postmaster-General is convinced that it is "necessary for the interest of the public service."

I submit that the making of the appropriations from year to year, in spite of the most violent opposition in Congress, amounts to a very strong expression of opinion by the two Houses of Congress that this appropriation is necessary in order to secure "special" facilities for the postal service, and that this opinion of Congress ought to have great weight with the head of the Department. I think, further, that the Postmaster-General, however able and enlightened, might well deem the unanimous judgment of the bankers, merchants, shippers, and other business men of the South in respect to the value and necessity of this service a point well worthy of his consideration. Still, the responsibility is devolved upon the head of the Department of taking final action, and if this payment were an abuse, as has been most absurdly alleged, or were a mere gratuity to one or two trunk railroad lines, he could correct it.

It has happened time and time again in the history of this Government that Congress has made appropriations for this or that

object and the Executive has refused to spend the money. I refer especially to river and harbor bills. It is true, indeed, that the people of the Southern States have a friendly feeling for the great railroad lines whose successful administration is so important to their growth and prosperity; but if only the railroad interest were involved, they would not be found demanding this appropriation as earnestly as they do.

REMARKABLE BENEFITS.

I do not believe there is an appropriation contained in this act where the same amount of money accomplishes a larger amount of benefit to millions of people. I am amazed that the reformer, seeking to restore this Government to its pristine simplicity, purity, and economy, should run through our great annual appropriations of six or seven hundred millions of dollars and pounce on this little appropriation of \$171,000 in order to signalize his zeal and vigilance. Yet the debates on this paragraph have been protracted at every session of Congress since I have been in this Hall.

DISCUSSED FULLY IN EVERY CONGRESS.

This subject was fully discussed at the second session of the Fifty-third Congress, and among others by myself. In my brief remarks on former occasions I referred to the appeals to continue this service coming up from the business men and commercial bodies of New Orleans and the whole country tributary to New Orleans. I stated then that these gentlemen had studied this question; knew their own interests. New Orleans is the second exporting city of the country, and entitled to best facilities. We now have three double fast mail trains from New York where we had one before. Under the bill the Postmaster-General regulates the schedules, and these are regulated, not by the convenience and interests of the railroads, but by the public interests.

It appeared in former debates that these appropriations for "special" facilities, which began as far back as 1875, had been kept up every year, and in a number of years had largely exceeded the appropriation which was then contemplated or the sum now to be appropriated. It was stated in debate that no Postmaster-General save Mr. Wanamaker had ever antagonized this appropriation. The Second Assistant Postmaster-General, Mr. J. Lowrie Bell, had reported (see Record of April 24, 1894, p. 4045) that the present mail schedules were "improvements over those which have heretofore been enforced."

I think it safe to say that the present schedules are an improvement on anything that went before over this important artery of commerce and mail communication, although the amount appropriated is smaller than in 1894.

Mr. Chairman, it has been boldly asserted in this House in these discussions that the mail service to the South as now rendered would be continued without this special appropriation. There is no authority for this statement.

AUGMENTED MAIL SERVICE.

I think it requires a great deal of hardihood for a Member to rise in this House and assert that the mail facilities of the people of the South and Southwest have not been greatly augmented over the former system.

In the second session of the Fifty-fifth Congress Mr. Swanson, of Virginia, stated that the time for a letter to come from New York to Danville (his own town) had been reduced from eighteen hours and fifteen minutes to thirteen hours and thirty-five minutes, a saving of five hours. The time to Atlanta from New York has been cut down from thirty-three hours to twenty-four hours and twenty minutes, a saving of about eight and one-half hours. The gain between New York and Tampa was then about fifteen hours, and the whole Cuban mail goes that way. Such was the showing made for this improved service in March, 1898, and since that period a still further saving of hours has been made between New York and New Orleans and intermediate points by reason of the faster service established since then.

I remind you of the fact that the Atlantic Coast Line Railroad Company had this subsidy, as you call it, for a while and then threw it up as unprofitable. They were not willing to come up to the Department requirements. If it was a needless subsidy—a mere job—why did they throw it away? In this fact you have a pretty good indication of what we may have to expect if this appropriation be stopped. We shall have one fast mail and passenger train, perhaps, in twenty-four hours to New Orleans—what we used to have in old times. The whole country from Washington via Danville, Atlanta, Montgomery, and other points, with their lateral connections, will have to suffer the evils of a disarrangement of their mail communications and of a tardy, infrequent service.

I am aware, Mr. Chairman, that in the zeal to strike down this

very small appropriation an effort has been made to show that the Post-Office Department is opposed to it and that the Department is authority for the statement that if this appropriation be withdrawn the eight or ten Southern States affected by it will still get as rapid and frequent mail communication as they have to-day. The Department has never put itself on record as saying anything of the kind. It has borne testimony, as I have shown you, to the great improvement in this mail service from New York, via Atlanta, to New Orleans, and to the fact of there being three fast mail trains per day where there used to be only one. In the extended debate had in the Senate some years ago, the Senator from Mississippi [Mr. Sullivan] quoted the Second Assistant Postmaster-General in reply to his specific inquiry whether the Department could secure the service as "prompt and frequent" without the so-called subsidy as with it. The response was:

I regret to say that I can not give a specific answer as to what we will be able to do. It is an open question.

It would have been a very extraordinary statement, indeed, if the Post-Office Department had reported that without this appropriation and authority they could have secured as prompt and efficient mail service for this Southern country as they have to-day. The answer would have been made at once. Why, then, have you been spending this money in the past unless you deemed the expenditure "necessary to promote the interest of the postal service?"

The law made that fact a condition, a test of the expenditure.

SOUTHERN CONDITIONS.

Again, we know that the railroads in the South are now under different conditions from those in the North. There are few large cities with us, and the country is sparsely settled. It does not pay to run fast passenger trains. The additional fast mail train a day requires a special expenditure. The train starting from New York at 4.30 a. m. leaves at an hour when no passengers can be expected. They will naturally wait for the afternoon train.

This early train does, however, take the mails of New England, New York City and State, and all the mails over this long route are expedited.

There are few Members in this House, from the East and North especially, who do not know the great value of time in the forwarding and reception of letters, and while their constituents may not be generally interested in this appropriation, many business men in the East will be apt to inquire how and why this appropriation should be singled out for special attack.

It is a melancholy fact that this contest should be renewed every year and that the people of eight or ten Southern States should be forced to fight for this slight recognition in the benefits of a common Government. It is somewhat in contrast with the policy which calls on the South forty years after the close of the civil war to bear her share of the taxation involved in a grand pension system of \$150,000,000 per annum. The appropriation is called a "subsidy." That word does not frighten me at all. I am not afraid to vote for fair and just appropriations for all parts of the country.

NOT A POSTAL ABUSE.

There may be abuses, possibly great abuses, in your postal expenditures, but this is not one of them.

I had the honor of entering this body in the Fifty-second Congress. Among the first debates I encountered was with reference to this special mail facility between Boston, New York, and New Orleans. In every session since that time we have heard the same arguments in opposition, and in spite of it each and every Congress has declared in favor of these facilities. I submit that this concurrence of action by every Congress should convince even those opposed to it that there must be indisputable merit in the proposition.

Mr. JOHNSON. May I interrupt the gentleman?

Mr. MEYER. Yes, for a question.

Mr. JOHNSON. Is there anything in the record upon which that appropriation is based—any testimony, any estimate, or anything else?

Mr. MEYER. We may not have direct testimony, but I would refer to the testimony of Postmaster-General Shallenberger, who answered in response to this question as follows, as reported in recent hearings:

Mr. MOON. Let me come down to the hard bottom question of administration; do you want this money or not?

Mr. SHALLENBERGER. We are not asking it or expressing an opinion in reference to it.

Mr. MOON. What is the reason you are silent on that question?

Mr. SHALLENBERGER. We are not silent.

Mr. MOON. You say you do not ask it.

Mr. SHALLENBERGER. We do not ask for it.

Mr. MOON. What is the reason you do not ask for it?

Mr. SHALLENBERGER. Because we think the effect on the service at large is better if we do not select any particular route.

Mr. MOON. Then you do not select it because you think that it is a bad example, and has a bad effect on the railway mail service?

Mr. SHALLENBERGER. That is the situation.

Mr. JOHNSON. Mr. Chairman, I do not know what the gentleman has before him that he is reading from, but I have a little fuller quotation than that.

Mr. MEYER. I hope the gentleman will be brief, because my time is limited.

Mr. JOHNSON. I want to show that the Post-Office Department said that they do not want it, but they consider the action of Congress mandatory.

Mr. MEYER. If the action of Congress is mandatory in making the appropriation, is it not a fact that the second provision of same paragraph declares with equal strength and equal positiveness that "no part of the appropriation made by this paragraph shall be expended unless the Postmaster-General shall deem such expenditure necessary in order to promote the interests of the postal service?"

Now, I submit that if the first part of this provision making the appropriation is mandatory, the provision is equally strong and explicit, equally mandatory, that the Postmaster-General shall not expend any part of the money unless he deems it necessary in the interests of the postal service. Since I have been in Congress, we have had two Democratic Congresses and five Republican. We have had as Postmasters-General Mr. Bissell, of New York; Mr. Wilson, of West Virginia, both Democrats. We have had as Republicans, Mr. Gary, of Maryland; Mr. Smith, of Pennsylvania; Mr. Payne, of Wisconsin; Mr. Wynne, and now Mr. Cortelyou. Now, can it be argued that all of these gentlemen, able officials, men as conscientious, no doubt, as we are, would expend this money year after year, constantly having before them this provision that "no part shall be expended unless it is deemed necessary for the interests of the postal service?" I do not believe that anyone will impute any such disregard of the intent of the law to these distinguished officials.

Now, further, my friend from North Carolina [Mr. WILLIAM W. KITCHIN], to whose very able argument I listened with great interest a few days since, bases the entire fabric of that argument upon the theory that we will have these fast mail trains whether the special sum is appropriated or not. I submit, Mr. Chairman, that there is no evidence to prove that, or anything like it. On the contrary, we have before us the letter received from Mr. Andrews, the vice-president of the Southern Railway, stating specifically that fast mail train No. 97 would not be run unless they received the extra compensation. It would not pay the company to run them on the schedules now current. Relying upon this statement, his entire proposition must fall.

Mr. WILLIAM W. KITCHIN. If the gentleman will permit me, my friend misunderstands the letter. He does not say the train will not run, but that they will not run the train on this particular schedule.

Mr. MEYER. But this is the core of the matter, because this particular schedule is what we want.

Mr. WILLIAM W. KITCHIN. But he does not threaten to take off the train.

Mr. MEYER. Further, I received a telegram, without any conference or communication on my part, from Mr. Wickersham, president of the Atlanta and West Point Railroad, in which he says:

Atlanta and West Point will discontinue present fast mail train known as "No. 97" should Congress discontinue present appropriation for special facilities, for the reason it is of no advantage to local travel, making few stops and between unreasonable hours. Through travel is not sufficient to justify continuing train exclusively for accommodating passengers, there being no passenger connection with other lines at Atlanta. The train is paying about 40 cents per train mile, exclusive of Government appropriation. We can accommodate our passenger traffic satisfactorily without this train. It does not create new business, but detracts correspondingly from earnings of other trains. Also makes it necessary to operate an east-bound train for the purpose of returning mail equipment.

Mr. Wickersham, as is well known, is a gentleman of the highest character and integrity, whose statements are worthy of all credence.

It seems to me, Mr. Chairman, we can not afford to incur the risk of discontinuing this appropriation in the face of what has been stated by the railroad officials. I believe that they are sincere in their statements. I see no reason why they should attempt to deceive us. The amount involved is too small to warrant them in employing these statements as a "bluff," as some gentleman has intimated recently.

Mr. WILLIAM W. KITCHIN. Will the gentleman permit an interruption right there?

Mr. MEYER. With pleasure, but just for a moment.

Mr. WILLIAM W. KITCHIN. It occurs to me that the gentleman who sent you that telegram was under the impression the only way that train got came from this special appropriation. Now, I ask the gentleman this question: If the great amount of mail matter which you have just stated this train carries into New Orleans does not show that under the regular statutory pay that train is of enormous profit to the railroad?

Mr. MEYER. Well, I do not care to discuss that. I am not sufficiently posted as to what it pays.

Mr. WILLIAM W. KITCHIN. I mean exclusive of the subsidy.

Mr. MEYER. This gentleman knows what he is talking about. He is the president of two railroads and stands very high in the community in which he lives, the city of Atlanta, and knows whether it pays him or not and what it pays him. I have no reason in the world to question the correctness of his statement, especially as the amount which his road receives as his proportion is scarcely enough to warrant him to jeopardize his reputation as a man of truth and veracity. He certainly would not make an incorrect statement, which he might reasonably expect would be quoted on the floor of this House.

Mr. WILLIAM W. KITCHIN. But however honest he may be—and I am not impugning or reflecting upon his integrity—does not the telegram itself show that he was under the impression that this subsidy or special appropriation was the only way that train got, when the very fact shows that it must get an enormous pay from the regular rates?

Mr. MEYER. I can not conceive, Mr. Chairman, that Mr. Wickersham is ignorant of the proportion of the so-called subsidy his roads receive.

Mr. SMALL. May I say to the gentleman that there is no evidence here that the amount of pay received is excessive except the statement of the gentleman? There is absolutely nothing from the record, no evidence that would be conclusive upon the fact, and I would ask the gentleman further if the question of the necessity of this appropriation does not depend upon this, that this is necessary to maintain these schedules, not the amount they are getting now? If they are getting too much, that is to be remedied in another way and at another time. I would ask the gentleman if that is not the situation?

Mr. MEYER. In my judgment, that is the situation.

Mr. WILLIAM W. KITCHIN. The fact is, as I stated to my colleague yesterday in arguing that certain roads had got too much because of the great amount of traffic they carried, if this should be one of those roads why should it not be eliminated?

Mr. SMALL. That is a mere matter of conjecture that the gentleman is making.

Mr. WILLIAM W. KITCHIN. It is based upon your argument of yesterday.

Mr. MEYER. Mr. Chairman, I do not think it is necessary to enter into further specific details. I will simply refer to this fact, that of all the great appropriations that are made by this Congress and by this Government the South receives but a small proportion. I do not mean to intimate in any way that there is any spirit of unfairness in the legislation of this House, yet I would urge that even to this small appropriation there has been undue opposition, that to my mind is almost unaccountable.

Mr. SULZER. If the gentleman will permit me to interrupt him. Suppose this subsidy to this railroad were discontinued, do you believe that it would make any difference to you and the people of your State in regard to the arrival of the mail? Would not you, anyway, get your mail about as quick—

Mr. MEYER. By no means—

Mr. SULZER (continuing). Whether the railroad got the subsidy or did not get the subsidy?

Mr. MEYER. By no means, Mr. Chairman. As the case now stands, by this train No. 97 we receive our mail at 11.15 in the forenoon. Were this train discontinued and the old order of things reestablished, the same mail would not reach the city of New Orleans until half past 8 at night; consequently business people would not receive their letters until the following day, making a difference of practically a full business day.

Mr. SULZER. Just another word in that connection. If they did not deliver the mail on account of the discontinuance of the subsidy, do you not believe that the Postmaster-General, who contracts for the carrying of this mail by the railroads, could compel the railroad to deliver the mail just as speedily as it does now?

Mr. MEYER. I will say to the gentleman that the Postmaster-General has not done it in all the years that have past; he has perfect and absolute disposition of the money, and the Department has so far failed to secure the fast mail without paying the railroad this extra compensation.

Mr. SULZER. Do you not think it possible, instead of giving the railroad this bonus, the Postmaster-General could make

this railroad deliver the mail as quickly and as speedily as other railroads do?

Mr. MEYER. I have no doubt the gentleman has often heard the old adage, "You can lead a horse to water, but you can not make him drink." The Postmaster-General has no power to compel the railroads to make that connection.

Mr. SULZER. I just want to say, in closing, to my friend from Louisiana that, in my opinion, this Congress has got sufficient power to make the Postmaster-General make a contract with the Southern Railroad Company to carry this mail just as speedily as it is carried now, without Congress voting the railroad a dollar of subsidy or bonus.

Mr. MEYER. Of course, my friend from New York must know that he has no such power. The power to fix rates arbitrarily has not yet been established. The carrier, as party of the second part, must necessarily be consulted.

Now, Mr. Chairman, I beg to submit a few of the numerous letters, petitions, and resolutions sent to me in advocacy of this appropriation.

[From the New Orleans Board of Trade, which numbers in its membership five or six hundred of the leading and most influential business men. February 10, 1906.]

There is considerable apprehension on the part of the business interests of New Orleans that, as the contract for the fast mail service from New York and eastern points to this city is about to expire, there will be no appropriation made for this service.

As the fast mail train No. 97 of the Southern Railway Company runs strictly mail, and has no other revenue, without an appropriation the service is likely to be discontinued.

If the conditions that existed in 1901, when there was much agitation in regard to this subject, made it essential that this service between the North and South should be maintained, it is infinitely more so to-day, when the development of the South has so greatly increased the amount of postal business handled, as is evidenced by the receipts of our New Orleans post-office, which have increased in the past fourteen years from \$272,794 in 1891, to \$730,419 in 1905, an increase of over \$457,000, with a continued increase every year, and an increase of nearly \$50,000 last year over 1904.

The board of trade feels that the entire commercial interests of the South would suffer from a discontinuance of the fast mail service reaching through it from the nation's metropolis, and that, on the other hand, all southern commercial interests would be greatly assisted by the establishing of a return fast mail service to that metropolis.

A fast mail service is of benefit not only to the large cities through which it goes, but also to all of the surrounding country. The merchant and planter at the crossroads in the rural districts are not less interested in such a service than are the business men of the cities.

The most immediate connections by mail are necessary in these days of extended commercial correspondence. For many transactions the telegraph will not serve.

We believe that with your assistance, the fair-mindedness and justice of both Houses of Congress will prevent the infliction of so manifest a wrong upon the southern people and their business, and the board of trade trusts, with your help, to prevent any cutting off of our fast mail service appropriation, and, if possible, to secure the additional appropriation requisite for establishing a return fast mail service.

[Letter from New Orleans Board of Trade, March 9, 1906.]

Your communication under date of February 26, addressed to President Kohnke, relative to appropriation for the continuance of the fast mail service between eastern points and New Orleans, was duly received, and he desires me to convey to you his sincere appreciation for the interest you have taken in the matter, which is of such vital importance to the merchants of this city.

As the majority of orders from this city are executed in New York, the advantage of the fast mail for the business men of both cities in the filling of orders, answering of correspondence, and purchase of exchange is practically twenty-four hours.

The regular train on the Southern Railway leaves New York at 4.25 p. m., arriving at New Orleans at 7.15 a. m. of the second morning. If orders are not executed and correspondence prepared for said train, practically a whole day would be lost, whereas with fast mail No. 97 leaving New York at 2.10 a. m. and arriving at New Orleans at 11.25 a. m. the following morning (same morning as the regular train) an entire day is allowed for the executing of orders, answering correspondence, etc.

All foreign mail reaches here on the fast mail, and the matter of exchange and the facilities for filling orders is of great advantage to the business interests of this city.

Should the fast mail be discontinued, it would mean that the business men of New Orleans, who now receive their eastern mail about 11 a. m., would not receive same until the next morning.

No. 97 brings by far the largest amount of mail to New Orleans that is brought by any one train. About 12,000 letters, besides newspapers, etc., are brought in daily, and from 30 to 45 pouches of foreign mail and other packages from various parts of Europe and other foreign countries are received three times a week.

The return fast mail service from here to New York on the same schedule as the fast mail which reaches this city would enable New York business men to get their mail from New Orleans the first thing in the morning instead of in the afternoon.

[Letter from Louisiana Sugar and Rice Exchange, March 2, 1906, transmitting copy of resolutions passed by that body.]

Inclosed I hand you copy of resolutions passed by the board of directors of the Louisiana Sugar Exchange, which speak for themselves.

We are all deeply interested in not only having the appropriation for the present fast mail renewed, but also to have a similar fast mail established northbound. This, as you must realize, will be of enormous advantage to the mercantile and manufacturing interests of New Orleans.

The bulk of domestic exchange here is handled on New York, and the establishment of a fast mail service northbound would save twenty-four hours on all mail matter, and we would appreciate it very much if, through your efforts, this advantage could be extended to our city and State.

[Copy of resolutions.]

At a meeting of the board of directors of the Louisiana Sugar and Rice Exchange held March 1 the following resolutions were unanimously adopted:

"Whereas the city of New Orleans and the South in general have enjoyed for some time fast mail service from New York and other eastern commercial centers; and

"Whereas the time has now arrived for renewal of the appropriation for the continuance of the fast mail from New York and eastern points:

"Resolved, That we earnestly request the honorable House of Representatives in Congress assembled to renew the full appropriation for the continuance of this fast mail service, as being absolutely essential to our commercial and industrial prosperity, the advantages of which to our community are too apparent to require recital here."

In addition to this we most respectfully urge that an appropriation be made for the establishment of a similar fast mail service between the large commercial cities of the South and New York and other eastern points. At present the mail leaving here in the evening does not reach New York until the second day about 1 o'clock, and is generally distributed too late to be available for use that day, practically making the mail connections between New York and other large commercial centers a matter of three days.

In these days of commercial activity and the constant use of the telegraph and telephone it is highly important that the mail service be brought up to a similar standard, and we therefore most earnestly urge that a fast mail be established between New Orleans and New York which will enable the delivery of mail matter on the morning of the second day, thus saving twenty-four hours on all mail matter, which in the item of exchange alone would amount to thousands of dollars annually, and thus lessen the tax on the movement of money to and from business centers.

J. C. MURPHY, President.

Attest:

W. MARKS, Acting Secretary.

[Editorial in Daily States of March 1, 1906.]

The importance of the present fast mail train service between New York and New Orleans, which, on account of the expiration of the term for which the appropriation has been made and because of the tendency of Congress to cut down appropriations for fast mail train service, may presently be discontinued, is shown by an examination of facts and figures as they may be obtained at the post-office.

Postmaster T. J. Woodward and Assistant Postmaster George V. Fucas went over the entire record and the examination was conclusive that this fast mail train from New York, No. 97, brings by far the largest amount of mail to New Orleans that is brought by any one train.

On an average this train brings to New Orleans daily 12,000 letters and 102 tie sacks of newspapers, besides a baggage car full of newspapers which are not tied.

The train which brings in the second largest quantity of mail is No. 3, also from the East over the Louisville and Nashville route, an average of between 8,000 and 10,000 letters.

The train which brings in the third largest quantity of mail is the Illinois Central, No. 5, between 4,000 and 5,000 letters.

Here is set forth in a nutshell the actual mail No. 97 brings into this city:

Daily, 12,000 letters, or about 100 sacks, and 102 sacks of newspapers, tied, and a baggage car filled with newspapers untied.

Three times a week from 30 to 45 pouches of foreign mail, of which 4 sealed packages come twice a week from Italy, 2 from London, 2 from Liverpool, and 2 from Dublin, and other packages from various other parts of Europe and other foreign countries.

Passing through New Orleans for other points daily are on an average from fifty to seventy-five bags of mail for Mexico, large quantities of exchange mail for Central America, and much which has to be resorted for distribution in the local post-office, going to all points in the near vicinity.

The fast mail is of great advantage and facility to the business men and merchants in the filling of orders and in the purchase of exchange. The postal authorities say that if this city had a fast mail to go from here to New York on the same schedule as the one on which the fast mail now reaches this city it would enable the business men of New York to get their mail from New Orleans the first thing in the morning instead of in the afternoon. It has often been a matter of wonder why New Orleans did not have a return fast mail service to the metropolis. The people of New Orleans ought to have the same facilities as those enjoyed by the people of New York. Then the fast return mail to New York would greatly facilitate the filling of orders in New York and the handling of exchange for that city. More orders are executed by New Orleans business men in New York and more New York exchange is bought in the natural course of business here than in all other cities of the country combined. A return fast mail would mean that this exchange could be had and that orders could be filled at least twelve hours earlier than is at present the case.

If the present fast mail service from New York to New Orleans were discontinued, it would mean that business men who now get their eastern mail at 11.30 in the morning would not get the same mail until the next morning, or about eighteen hours later. As all of the Liverpool, Dublin, and London mail reaches here on this fast train and as nine letters out of every ten are to local cotton men pertaining to the cotton business, a great hindrance and hardship would be worked on the cotton business, the mainstay of the South, by the discontinuing of the fast mail service from New York.

[Letter from Cosmopolitan Bank and Trust Company, March 24, 1906.]

With this we take the liberty of adding our request to that of the New Orleans Progressive Union and others of our neighbors regarding the mail facilities especially desired by the New Orleans business community from this city to New York.

As you are aware, there is now a fast train from New York hence to New Orleans, which is found to be of great service and advantage to the business interests of this city and section, but the mail leaving here for New York is not made in the same time, leaving here at 7.15 p. m. and reaching New York on the second day at 1 p. m., too late for the ordinary business transactions of that day called for by our mail, and hence we are put at a disadvantage by the delay in receipt of our letters in New York.

May we not, therefore, ask and urge your kind influence in the endeavor to have established from New Orleans to New York a train that will leave here at 4 p. m., which would make it due in New York

on the second day out by 7 o'clock a. m., thus giving practically a saving of an additional day in the attention to the mail from here.

It is needless to say to you that from the situation and importance of New Orleans as the largest center in the South any such facilities would be of incalculable advantage to this section, and would be highly appreciated by the entire community.

That it is the consensus of opinion of the financial interests of New Orleans that there should be established a train from that city to New York, leaving at about 4 p. m., and arriving on the second day at about 7 a. m., is evidenced by letters from the following banks, etc.:

Interstate Trust and Banking Company.

New Orleans Stock Exchange.

New Orleans Progressive Union.

New Orleans National Bank.

Teutonia Bank and Trust Company.

German-American National Bank.

Bank of Orleans.

Morgan State Bank.

Hibernia Bank and Trust Company.

New Orleans Cotton Exchange.

A. Baldwin & Co. (Limited).

Whitney-Central National Bank.

Citizens' Bank of Louisiana.

Metropolitan Bank.

Colonial Bank and Trust Company.

DUTY TO SOUTH.

Mr. Chairman, in passing upon this question of a fast railway mail service for the Southern States it is our duty to look at the situation presented to-day in that section of the Union. It is true that we do not have in the South large cities such as they have in the North and which force the railroads there to expedite their trains in order to secure business.

GROWING SOUTH.

But our cities and towns all exhibit a gratifying increase. This is especially the case in my own city of New Orleans. What is true of the towns and cities—of New Orleans, Galveston, Vicksburg, Memphis, Nashville, Mobile, and Atlanta—is also true of the Southern States in which they lie. There is a large, steady, and gratifying increase of the population.

The State of Louisiana so far exceeded the average rate of increase for the Union that she became entitled to an additional Member of Congress under each of the two rival plans of reapportionment presented to us in 1901. Such comparatively new and fertile States as Kansas and Nebraska did not present an equal increase with Louisiana, although they possess great resources and are located on great lines of railroads. For a long period after the civil war, depressed and discouraged by military rule, by reconstruction, negro and carpetbag ascendancy, the South made little or no progress. But as these evils were removed or mitigated the South began to put on a new life. The tree apparently dead began to put forth leaves and branches, and already we behold the fruit.

AGRICULTURE IMPROVED.

Our cotton crop has been largely developed and for some years past prices have been remunerative. Other crops have done well. The cotton seed once deemed useless has been converted into a most valuable product. Every branch of agriculture has improved.

DEVELOPMENT IN MINING.

Our mines of iron and coal have been developed and we now manufacture pig iron cheaper than any country in the world. We are making steel and selling it abroad. Both of these industries are yet in their infancy. There is hardly any limit to their respective growth.

NEW MILLS.

Cotton mills are going up every day. We are manufacturing coarse cottons cheaper than any other people in the world. Our mills are making the highest grades of cotton goods, and it is only a question of time when the South shall monopolize the cotton manufacture of this country and export these goods freely to other lands. [Applause.]

Many other kinds and forms of manufacturing industry are rapidly springing up. There is hardly one of them that can be mentioned in which the South does not possess equal or superior advantages to any other section of this Union.

SHIPBUILDING INDUSTRY.

Shipbuilding, which has been regarded as exclusively a northern industry, is now being actively prosecuted at Newport News and on the James River, in Virginia. In this rapid forward movement of agriculture, manufactures, and commerce is it not clear to every intelligent mind that rapid, frequent mails are an essential, necessary ingredient? This rapid communication between the South and the North and East is nec-

essary to each—to all the country. [Applause.] To deny it would be a reproach and a scandal.

This, however, is only a part of the story. It is evident that we are on the threshold of a larger, greater commerce with South America, the West Indies, including Cuba, Mexico, and Central America, than ever before. All these countries are rapidly developing. They are attracting immigration, capital, and are about to improve their grand resources.

PANAMA CANAL.

The building of the Panama Canal, now an assured fact, will give a special stimulus to this coming trade. Cuba, freed from the yoke of Spain, exhibits fourfold activities. The South is, or will be, in close touch with all these countries. Your mails and your richest products must pass through her ports and gateways in order to reach these countries. Surely this is no hour for a narrow vision, a contracted policy, or a neglect of the agencies which stimulate commerce and enhance the wealth, power, and glory of our Republic. [Applause.]

REHABILITATION OF SOUTH.

I must not omit to state that this work of southern rehabilitation and progress is mainly, almost exclusively, the work of our own sons. It is not the creation of northern men or the result of foreign immigration. The immigrants from the Northern States or from Europe have followed the lines of climate. They have gone West. More of our sons have gone North and West than the number who have reenforced our ranks of labor and production. We have a right to be proud of this fact. We are paying our full share of the expenses of this Government. Our crops of cotton, tobacco, and other exports go far to swell your favorable balance of trade and bring back foreign gold. We pay heavily for appropriations in which we reap no benefit, and it is a very small return to allow this moderate mail appropriation, so important to our commerce, to remain undisturbed. [Loud applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 13154. An act for the relief of John T. Irion;

H. R. 16140. An act to authorize the maintaining and operating for toll an existing structure across Ingall's River, known as "Knox's bridge," at a point where said river is the boundary between the States of South Carolina and Georgia;

H. R. 9165. An act authorizing the Secretary of the Interior to issue patent to the Scandinavian Evangelical Lutheran Little Missouri River congregation to certain lands for cemetery purposes; and

H. R. 2996. An act to reimburse Capt. Sydney Layland for sums paid by him while master of the United States transport *Mobile* in July and August, 1898.

The message also announced that the Vice-President had appointed Mr. PETTUS and Mr. GALLINGER members of the joint committee on the part of the Senate as provided for in the act of February 16, 1889, entitled "An act to authorize and provide for the disposition of useless papers in the Executive Departments," for the disposition of useless papers in the Treasury Department.

The message also announced that the Vice-President had appointed Mr. NEWLANDS as conferee on the bill (H. R. 12707) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; and to enable the people of New Mexico and of Arizona to form a constitution and State government and be admitted into the Union on an equal footing with the original States in place of Mr. PATTERSON, excused from further service.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. MOON of Tennessee. Mr. Chairman, I yield ten minutes to the gentleman from North Carolina [Mr. PAGE].

Mr. PAGE. Mr. Chairman, it had been my purpose during the consideration of the bill now before the House to make some remarks at some length, particularly upon the subject of railway mail pay, which I think is, on the dense routes, excessive; but circumstances have been such, or my modesty has been so great, that I have not forced myself upon this committee for that purpose; and now, in the few moments that have been assigned me by my friend from Tennessee [Mr. MOON], I want simply to touch a few of those things that have been discussed by gentlemen who have preceded me. The conduct of those gentlemen who have discussed particularly one feature of the bill under consideration, namely, the appropriation to facilitate the mails—and I use this word in deference to their delicate senses—

to expedite the mail between Washington and New Orleans, leads me to remark that these gentlemen, who are usually so courteous, who are usually so well possessed of their tempers, have, it seems to me, departed from their daily custom. My amiable colleague from North Carolina [Mr. SMALL], who has made for himself here, as at home, a reputation for courtesy and gentlemanly conduct, so far forgot himself in the heat of discussion in his speech on yesterday as to impress me with being discourteous to one of his colleagues from his own State [Mr. WEBB]. Mr. WEBB made a statement, and my colleague [Mr. SMALL] challenged that statement and challenged him to prove his assertion. When Mr. WEBB interrupted him for the purpose of proving the statement that he had made, my colleague refused to let him do it, and so my purpose upon this floor now, as much as any other thing, is to make peace between the members of my own delegation.

Mr. SMALL. May I interrupt the gentleman a moment?

Mr. PAGE. Certainly, sir.

Mr. SMALL. The interruption, as I understand it, was for the purpose of quoting a statement made by the Second Assistant Postmaster-General. I challenged the gentleman to produce any such statement by that official. I was met by the reply that he had a private letter from the Postmaster-General in response to one that he had written, and I declined, and, I think, properly declined, to permit a letter from the Postmaster-General, Mr. Cortelyou, to be interpolated into my remarks, not intending any discourtesy whatever.

Mr. WEBB. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield?

Mr. PAGE. I yield to my colleague.

Mr. WEBB. My colleague [Mr. SMALL] seems to object that I wanted to put into his speech a statement from the Postmaster-General. I insisted that the letter which I have, and which was written on the 7th of this month, three days ago, was not only signed by the Postmaster-General, but was initialed and countersigned "W. S. S.," which means William S. Shallenberger, the Second Assistant Postmaster-General, and in that letter he says as to whether the withdrawal of special-facility pay by Congress would cripple the mail service between Washington and Atlanta "that no apprehension is felt that the service would be crippled." That is the statement which I wanted to get into the Record. [Applause.]

Mr. SMALL. But I would suggest that the letters from the vice-president of the Southern Railway and from the president of the Atlanta and West Point, as read by the gentleman from Louisiana [Mr. MEYER] this morning, contain the positive statement that this special train 97, under the present schedule for expediting the mails, will not be continued if this appropriation is withheld, and I take it that they know more about the matter than does the Postmaster-General.

Mr. PAGE. Mr. Chairman, I am obliged to my colleagues for the explanations which they have both made.

Now, there was one other statement made by my colleague [Mr. SMALL] that I want to give him the opportunity to correct on this floor. In his speech on yesterday he charged that those gentlemen who had opposed this appropriation to facilitate the mail between Washington and New Orleans had uniformly voted for the appropriation to expedite the mails between the Pacific coast and the island of Tahiti.

Mr. GAINES of Tennessee. Will the gentleman yield for a moment?

Mr. PAGE. No, sir; not now. I refute the charge, and if my language is parliamentary, and if no one will ask to have it taken down, I will say that that statement is untrue as touching quite a number of gentlemen upon this floor.

Mr. WILLIAM W. KITCHIN. Including myself.

Mr. WEBB. And including me.

Mr. SMALL. May I interrupt the gentleman?

Mr. PAGE. Certainly.

Mr. SMALL. I believe it will be admitted that up to the time that I brought the attention of the House yesterday to the subsidy for the mail from San Francisco to Tahiti, that particular subsidy had not been mentioned in this debate. I believe the gentleman will admit that.

Mr. PAGE. Yes.

Mr. WILLIAM W. KITCHIN. You brought it in yesterday, but it has been debated on the floor of the House in previous sessions of Congress, and we have knocked it out, and the Senate has afterwards put it in.

Mr. SMALL. There had been no opposition to it in this debate.

Mr. GAINES of Tennessee. Will the gentleman yield?

The CHAIRMAN. To whom does the gentleman yield?

Mr. PAGE. I do not yield to anyone. As touching the appropriation itself, I have very little to say. My record in

the brief time I have been in Congress speaks for itself. I have uniformly voted against this appropriation for the reason that I have not believed, nor do I believe, that it is necessary to facilitate the mails into that section from which I come. [Applause.]

Mr. Chairman, I refute the charge that the section which is represented on this floor by seven gentlemen, four from the State of North Carolina and three from the State of South Carolina, in which more than one-third of the cotton that is manufactured in America is manufactured, that a section that is prosperous, not only in this line, but along every other line, there is any necessity for it to come to the National Government as a suppliant for its bounty. [Applause.]

I believe, Mr. Chairman, that the great business of that section will bring to it all the facilities for mail and other things that it needs or that it cares to have. There are other railroads running into that great section that I in part represent upon this floor, and their trains go with all the speed that up-to-date locomotives built by skilled Americans can carry them without being paid any bounty by anyone. I believe too much in that section from which I come, in its present prosperity, in its glorious future, and I believe that there is not one iota of necessity for this appropriation from the National Government; and as long as I so believe my vote shall be recorded against it.

Mr. Chairman, passing from this, I want to say one other thing. There is in the bill under consideration a provision made for the weighing of all the second-class matter by the postmasters during the last six months of this year. Anything on that will bring to the attention of this House or the committee information that will bring them to solve the great problem of facilitating mails meets with my approval. But it seems to me, Mr. Chairman, that in connection with this provision and remarks made by gentlemen on this floor during this discussion that I see something other than information. As long as magazines and other periodicals of this country were engaged in the exposition of the graft and greed of insurance presidents and others who are high in the financial world, in taking the money that did not belong to them, everybody bid them all-hail and all-speed. But the very moment it was discovered that the Republican party became the beneficiaries of the pilferings of these men, then the edict has gone forth and the writers of these articles have become the "men with the muck rake." [Laughter and applause on the Democratic side.] And in the future you will find that the magazines will not any more have the privilege of the penny postage. [Applause on the Democratic side.]

Mr. SULZER. Mr. Chairman, as the House of Representatives is now in Committee of the Whole House on the state of the Union, I desire to take advantage of the time at my disposal to say a few words in regard to a matter I deem of much public moment and of vital importance to all the people in our land. I refer to the preservation of one of the greatest scenic wonders in all the world—Niagara Falls.

There are pending in Congress at the present time several bills, any one of which, I believe, if enacted into law, will go far to effectually put a stop for a long time to come to the further devastation of these wonderful waterfalls by the sordid hand of industrialism and the greedy selfishness of commercialism; but thus far, I regret to say, no action has been taken regarding the matter, and I very much fear that unless something is done, and very speedily done, this session of Congress will adjourn without anything being accomplished to protect Niagara Falls from further spoliation.

I appeal to-day to those Members in this House who have in charge this important matter to be up and doing, so that ere we adjourn there will be a law upon the Federal statute books that will make it impossible for any more water for commercial purposes to be diverted from Niagara River—a law that will protect and preserve the beauty and the grandeur of this wonder of wonders, in so far as Congress can do so, for generations yet to come. [Applause.]

Mr. Chairman, the "thunder of waters" of the aborigines, the most awe-inspiring spectacle ever seen by a human being, the promised land of all lovers of natural scenery, the scenic Mecca toward which millions of people travel every year from all parts of the world—the tumultuous, tremendous, thundering Niagara Falls—must not be destroyed, but must be preserved in all its marvelous splendor by this generation for all the ages yet to come. This is our duty. We are charged with this responsibility. We can not and we must not evade it. These Niagara Falls do not belong to any country or to any people. They are the inalienable heritage of humanity, and one generation must preserve them in all their power and in all their beauty for the benefit of the next generation. This is the

unwritten law of the eternal rights of mankind, and we must not prove false to our trust or recreant to our responsibility.

The devastation of Niagara Falls is a crime against generations yet unborn, and if we permit the piratical interests of utilitarian industrialism, so rampant in this practicable age, to go on with the spoliation of this magnificent gift of the Creator of the universe, we will be false to the great trust humanity has reposed in us and the future will justly hold us up to obloquy and contempt and execration.

We are the trustees of the free institutions of the fathers and of the natural grandeur and scenic glory of our beautiful land, charged by the sacred rights of mankind to transmit them unimpaired to future generations; and if we fail to preserve and protect the institutions of the fathers, and every beautiful picture in nature's art gallery for those who are to come after us we will be false to our duty, recreant to the solemn trust reposed in us, and justly censurable by those who will follow after us.

Mr. Chairman, the mighty surplus waters of the Great Lakes, as they dash in torrential waves through the narrow confines of Niagara River for 32 miles and then tumultuously plunge in myriad-colored volumes over the precipitous falls of Niagara, is one of the greatest, one of the grandest, and one of the most glorious wonders of the earth—the most awe-inspiring spectacle of its kind little man has ever beheld. You must see it to appreciate it. No tongue can do it justice. No pen can describe it. No painter can picture it. But it is not so much the height of the falls that beggars description—it is the immensity of the volume of water that jumps and leaps and tumbles and rages and roars and thunders over the falls that makes them as unique as they are glorious and indescribable.

The waters of the Great Lakes are discharged through the Niagara River into Ontario, and then on and on oceanward through the St. Lawrence. The mean level of Lake Erie is about 572 feet and that of Lake Ontario about 246 feet above the sea. Leaving Lake Erie at Buffalo the Niagara River is navigable and flows with a moderate slope to a short distance below the Welland River, about 19 miles, in which distance it has a fall of something like 14 feet. The slope here is suddenly increased and the river ceases to be navigable. In the next half mile it has a fall of about 50 feet, forming the rapids above the falls. It is divided by Goat Island into two arms of equal size, that on the Canadian side carrying, it is said, about seven times the volume of water carried on the American side. At the foot of Goat Island the waters of both arms leap over a vertical precipice, constituting Niagara Falls proper, that on the Canadian side being known as the Horseshoe Fall, and that on the American side being called the American Fall. The height of the Horseshoe Fall is about 161 feet, and that of the American Fall about 165 feet. Immediately below the falls the river is again navigable for a short distance, and then assumes the character of magnificent rapids as far as Lewiston, 7 miles from Ontario, where it again becomes navigable and remains so until it enters Lake Ontario.

The volume of water flowing over the falls varies somewhat with the level of Lake Erie, which is subject at times to variations of several feet, depending upon rainfall, barometric pressure, and the direction and force of the wind. At the mean level of Lake Erie the volume of discharge is about 200,000 cubic feet per second. When you come to calculate it, the power of this tremendous volume of water is almost incomprehensible. This gigantic body of water going over these majestic falls every second, and the intensely interesting rapids above and below them, make Niagara Falls a place of indescribable scenery and in uniqueness and grandeur among the seven wonders of the earth.

Years ago the State of New York passed a law creating a beautiful park, consisting of about 400 acres, on the American side; and every year the State appropriates \$25,000 for its care and maintenance. The Canadian government has also created by law a splendid park on the Canadian side, consisting of about 700 acres. And these parks carefully maintained lend additional beauty and enjoyment to the inspiring wonders of nature.

It is said, and investigation demonstrates it, that the falls are receding from natural causes, regardless of commercial desecration, and in the many centuries to come will be only a shadow of their present greatness and glory. In looking over the surveys made by eminent engineers in 1842, 1875, 1886, and 1890, I find that the American Fall has receded at the rate of 0.64 of a foot a year, or 30.75 feet between 1842 and 1890, and the Horseshoe Fall during the same period, 2.18 feet annually, or 104.51 feet in forty-eight years, a very much higher rate of recession than was ever thought of prior to the second survey in 1875. Of course the falls do not recede evenly; some parts of the crest remain more or less stationary, while others change

rapidly. The figures I have cited represent the points of greatest activity. According to this data, the total area of rock surface which has disappeared at the American Fall between 1842 and 1890 represents about 33,000 square feet, practically three-fourths of an acre. At the Horseshoe Fall there has disappeared during the same period about 275,000 square feet, or over 6 acres. In all descriptions of the American Fall we speak of one, although there are two, but the second one, called the "Luna Fall," is so small that it is seldom referred to, and is interesting chiefly because it affords the sightseer an opportunity to go behind the falling waters into the so-called "Cave of the Winds."

Geologists have given much study to Niagara Falls, and have speculated as to the future length of life of this incomprehensible marvel of nature, and how many thousands of years it will take before the increasing thickness of the Niagara limestone, and the decreasing exposure of the soft underlying shales will reduce the height of the falls to a mere series of succeeding rapids; but I predict that if the present sordid selfishness of industrial vandalism goes on, it will destroy the unrivaled beauty and diminish the incomparable grandeur of this gigantic water inspiration of the world long before any change is produced by natural erosion.

We can not stop the forces of nature in their unceasing work of destruction, but we can and we must fetter the sordid, selfish, spoliation of man.

The great water power available at Niagara Falls attracted the attention of scheming commercialists at an early day, but it was not until this immense power could be transmitted and used in the form of electricity that its development on a large scale became financially profitable. Within recent years the Canadian government, or the Province of Ontario, and the State of New York have granted franchises, the value of which can not at this time be computed in figures, to corporations, allowing them to divert the waters from the falls and use its tremendous force for power purposes. There are, I am informed, a half dozen corporations on both sides of the river chartered by the Province of Ontario, or the Canadian government, and the State of New York, and these soulless corporations are doing more to-day to forever destroy these magnificent falls than the forces of nature have done in all the ages of the past.

This Government and Great Britain, acting separately or jointly, must stop this criminal exploitation of the falls for commercial purposes. It is a crime against future generations, and the two Governments concerned ought to take the matter in hand at once and put a stop to it for all time to come. Congress should have done its duty in the premises long ago. These magnificent falls do not belong to the State of New York or to the Canadian government—they belong to the people of all the world; and it is incumbent on this Government and on the British Government to preserve and protect this magnificent wonder of nature and hand it down to future generations with all its beauty unimpaired and all its grandeur undiminished.

We must pass stringent laws to prevent the further granting of franchises to greedy commercial interests by the State of New York, and appeal to the Canadian government to take like action. The franchise heretofore granted by the legislature of the State of New York were granted with few restrictions, and without a single dollar of compensation to the people; and the money-making value of these franchises, if they can not be forfeited, is beyond the calculation of the human mind. The Canadian government, however, more wise and farseeing, did not grant a single franchise without important reservations and full compensation; and I am informed that the tax or revenue the Province of Ontario, or the Canadian government, derives from the franchises heretofore granted to corporations to divert the waters from the falls of Niagara amounts to about \$300,000 annually.

Bills are now pending in the legislature of the State of New York, and in the legislative assembly of the Province of Ontario, granting additional franchises to corporations to divert the waters of Niagara, and unless a stop is put to this ruthless and sordid and selfish practice by the Governments of the United States and Great Britain by virtue of a treaty, it will not be so very many years before the beauties of Niagara, the wonders of the falls, and all the grandeur of this inspiring and indescribable painting—the grandest ever placed by the hand of the Infinite in nature's unrivaled scenic gallery—will be no more.

Now, Mr. Chairman, what can the Congress do? What is our duty? How can we put a stop to the further devastation of this magnificent wonder which belongs to all the people of all the world and for all the ages? I answer these questions by saying that the Congress of the United States can put a stop to the further destruction of Niagara Falls so far as the American side is concerned by passing a law making it a crime for any person

or corporation to divert any of the waters from the Niagara River for commercial purposes. The Niagara River is a navigable stream, and it being navigable, under the powers of the Constitution, the laws of Congress in regard to it are supreme. This being so, I contend that the Congress should, without further delay, pass a law along the lines I have indicated, and if this is done it will effectually put a stop to the State of New York granting any more franchises; and I hope that those already granted will be carefully investigated, and wherever possible, abrogated.

But this Government can do more than protect the American side of the falls. It can act through its treaty-making powers. The Niagara River being the boundary between the United States and Canada, the United States and Great Britain have the undoubted right by treaty stipulation to impose such conditions and limitations upon the use of the river and its waters as they deem proper. A treaty duly negotiated between these two powers and ratified by the Senate of the United States would be the supreme law of the land; and if in such treaty it were provided that the waters of Niagara River should not be diverted for commercial purposes and this regulation be enforced by act of Congress the treaty and the legislation would be valid and constitutional—all the rights of the State of New York and of private riparian owners to the contrary notwithstanding. Such a treaty should be quickly negotiated, and I hope it will be. I believe that the President is alive to the real situation, and I trust he will negotiate a treaty with Great Britain at the earliest practicable time to prevent the future spoliation of Niagara Falls. But pending the negotiation of this treaty we, the Members of Congress, have the right and the power to enact legislation as I have suggested that will effectually prevent the further exploitation and devastation of Niagara Falls through the granting of franchises by the legislature of the State of New York. Mr. Chairman, this Government must act in this matter, and act at once, before the cunning and piratical hands of utilitarian industrialism destroy this magnificent picture, the greatest scenic wonder ever painted by the unerring hand of the Infinite in the art gallery of nature. This generation must preserve in all its grandeur the magnificent water falls at Niagara from the spoliation of sordid commercialism and transmit them unimpaired to future generations. If the executive and the legislative branches of this Government will do their duty, and do it quickly, the Falls of Niagara will be saved. [Loud applause.]

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. McDERMOTT].

Mr. McDERMOTT. Mr. Chairman, with the approach of Easter come the stories of threatened massacre in Russia. Men and boys, women and girls, babes in mothers' arms are to be slaughtered by savage bigots, in whose brains the Russian Greek Church seems to have left no trace of mercy.

In the name of Christ and the cross, men called "Christians" have tortured and slaughtered men, women, and children during eighteen hundred years. In the name of the cross bigots have persecuted each other, the Jew, and the heathen. During seventeen hundred years of the Christian era nearly every fanatic who evolved from his mean and miserable brain a "command from heaven" cheerfully and diligently persecuted those of his fellow-men who disagreed with his insanity. Around the stake, in the torture chamber, and on the field of battle "Christian soldiers" have been transformed into wild beasts, sparing none.

While engaged in the congenial occupation of murdering each other, frenzied zealots of nearly all the Christian creeds have made common cause against the Jews. The world has been drenched with their blood, as though God had given command for the extermination of those whom the Old Testament designates "his chosen children." In Chapter XIII of Deuteronomy the following directions are given for taking care of a town where "false gods" are worshiped:

Thou shalt surely smite the inhabitants of that city with the edge of the sword, destroying it utterly, and all that is therein and the cattle thereof, with the edge of the sword. And thou shalt gather all the spoil of it into the midst of the street thereof, and shall burn with fire the city and all the spoil thereof.

These directions were, according to the Old Testament, revealed by God and written by Moses. If the legend could be changed to have the order written by Satan and issued from hell, a very great work of justice would be done to the reputations of both God and Moses. It is difficult to form a correct estimate of Moses, but it is certain that he is one of the great figures in the history of mankind. He was a great soldier, a great statesman, a great man, and it is well to redeem his name from slander. The directions were written long after his death, and the wretch who wrote them probably thought that he was inspired—probably thought that his heart of rock and

brain of hate were under divine guidance, whereas he was merely ferocious and insane. The "commands" can not now be read without a shudder, and yet it would seem as if they had been taken as a pattern for the use of the "Christian sword" in dealing with the Jews.

In the Old World persecution of the Jews stains almost every chapter of history. Before the Christian era those people were persecuted, murdered, enslaved; but this was in the regular course of events, the business of nations then being to persecute, murder, and enslave, a sort of orderly procedure in days when every nation was against every other nation, when war was constant, when man had not learned the dignity of labor. But it was not until Christianity had obtained dominion that the Jews were persecuted because they refused to "accept Christ." From then the spirit of oppression has grown. Persecution of the Jews, because they are Jews, is to-day tolerated in but few parts of the Christian world, so far as the statute books go; but the spirit that is breathed in the words "Christ killer" is found in the eyes and on the tongues of Christians in the New World as well as in the old. It is not difficult to find the cause of this. Many people are, after a fashion, taught the Bible. Some read it. Nearly all who are taught it and many of those who read it get the idea that nearly nineteen hundred years ago the Jews crucified Christ; that his cruel death is to be ever a subject of sorrow, and that the Jews are, unless they give evidence by conversion that they join in that sorrow, to be hated and hounded even unto death.

Persecution of Jews has always ceased with apostasy. It is so in Russia to-day. There the Jew who will say that he believes in the Russian Greek Church becomes a man before the law, and his life and property are safe. He is no longer a "Christ killer." Against those Jews who refuse to forsake the beliefs of their fathers the bigots of the Russian church proceed with sword and torch, and never so ferociously as on the anniversary of the day when Christ is supposed to have risen from the dead. At Easter the Russians greet each other, the first speaker saying, "Christos vosress" (Christ is risen), and the response is always "Vo istiny vosress" (He is risen, indeed). Anyone who has visited Russia or studied the history of its people knows what vague ideas are embraced in these Easter greetings. There—and perhaps here—there is a belief that the resurrected Christ triumphed over his enemies—the Jews. The greetings over, horror follows. We can not effectively remonstrate to the Russian Government, asking it to prevent the murders and outrages that follow the dawn of Easter; but we can ask the church of that Government to interfere. We can, observing every propriety, ask that the power of that church be used to prevent recurrence of brutalities that shock the civilized world. We can do more than this. We can set an example. We can teach the men, women, and children of our own land to array themselves on the side of truth. We can teach in press and pulpit, that the statement that Jesus Christ was crucified by the Jewish nation is the wickedest falsehood that ever fell from human lips.

If Christ was a mortal, if he was the son of Joseph and Mary, born in the good old-fashioned way, he was crucified by the Romans. If he was the Son of God, he was crucified by the direction of his Father. Under neither proposition can the Jews be held accountable. If he was a mortal, he was the prisoner of Rome, and the Jews, as a race, never cried for his blood.

Let us look at the evidence. The sayings that are credited to Matthew, Mark, Luke, and John agree that Christ was popular with the Jews at Jerusalem. He had advocated what seemed to him necessary reforms. Those in charge of the Temple objected. He called them harsh names, and the common people seem to have agreed.

Matthew says that when the chief priests and Pharisees would have laid hands on Jesus, after he had driven the traders out of the Temple, they dared not do so, because "they feared the multitude."

Matthew and Mark agree that when the priests and scribes consulted, at the house of Caiaphas, about the killing of Jesus they agreed that it should not be done on a feast day "lest there be an uproar among the people."

Luke says that all the people were attentive to Christ, and that when he taught in the Temple all the people came early in the morning to hear Him, and adds: "And the chief priests and scribes sought how they might kill him, for they feared the people."

When these accounts were written no man knows or has information upon which to found a reasonable guess, but in the discussion of this subject there is not any other testimony to be considered, because there is not any other testimony obtainable. This seems certain: The Jews did not have power

to put Christ to death, and Pontius Pilate did not care anything about the religious controversies of the Jews. It is certain that Christ was accused of treason, and it is certain that he was executed by Roman soldiers. That Pontius Pilate did not desire to pronounce judgment; that his wife was opposed to it; that he "washed his hands" of the matter, and then told the centurions to proceed with the crucifixion; all these propositions seem to me absurd. Pontius Pilate cared nothing for the shouts of a rabble. It may be that he was somewhat in disfavor at Rome, that he feared it might be reported there that he had shielded one who was charged with treason, but this can not be made to agree with the story that he first acquitted and then executed his prisoner. To have reported such a proceeding to his Emperor would have been to invite disgrace and dismissal.

But let us take the story as it is generally taught. Let us suppose that a rabble, incited by the priests, made enough noise to induce Pontius Pilate to pronounce judgment of death. How, in the name of common sense, does this place the crucifixion upon the Jewish race? When a mob lynches a prisoner in New Jersey or Delaware or South Carolina we do not say that the victim was lynched by the American people. The mob that yelled at Pontius Pilate was wholly without authority to say that its doings should become a charge against the Jewish race. A mob can not charge its wrongdoings to the debit account of a nation, and yet so liberal a writer as Ernest Renan, after quoting from Mark, says:

It was, then, neither Tiberius nor Pilate who condemned Jesus. It was the old Jewish party. It was the Mosaic law.

According to our modern ideas, there is no inheritance of guilt from father to son. Each must account to human or divine justice only for that which he himself has done. Every Jew who to-day suffers for the murder of Jesus has, therefore, a right to complain, for he might have been a Simon the Cyrenean, or at least not have been one of those who cried "Crucify him!" But nations, like individuals, have their responsibility. If ever a crime was the crime of a nation, it was surely the crucifixion of Jesus. His death was "legal in the sense that it was primarily caused by a law which was the very soul of the nation."

Admitting for the moment that Christ was crucified under the Jewish law, it may be well for Christians to remember that the law is not found in a secular volume. It is, in all its beauty, found in the thirteenth chapter of Deuteronomy, and the children in our Sunday schools are taught that it was written by Moses, under divine guidance, shortly before his death. It reads:

6. If thy brother, the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, or thy friend, which is as thine own soul, entice thee secretly, saying, Let us go and serve other gods, which thou hast not known, thou, nor thy fathers:

7. Namely, of the gods of the people which are round about you, nigh unto thee or far off from thee, from the one end of the earth even unto the other end of the earth:

8. Thou shalt not consent unto him, nor hearken unto him; neither shalt thine eye pity him; neither shalt thou spare; neither shalt thou conceal him;

9. But thou shalt surely kill him; thine hand shall be first upon him to put him to death, and afterwards the hand of all the people.

10. And thou shalt stone him with stones, that he die; because he hath sought to thrust thee away from the Lord thy God, which brought thee out of the land of Egypt, from the house of bondage.

According to the Christian religion these directions were perfectly good until the Christian era. The New Testament does not tell us that God repented for having taught men that they should murder their children if the latter made the slip of getting on bowing terms with the gods in the next county. The Christian religion amended the old law; it taught new rules, but it never declared that the rules laid down in Deuteronomy were unconstitutional, and to-day the Christian churches teach that the old law was all right in its day. If this is so, then, for over a thousand years the Jews were taught, under divine inspiration, that they had no higher duty than to kill whoever attempted to teach them a new religion.

I do not believe that a sane god ever dictated any such directions, or that Moses ever wrote them. But Renan is wrong in saying that Christ was crucified under this law. He was put to death, not for assailing the Mosaic law, but because he was accused of treason to Tiberius. According to Matthew, the Roman soldiers set over the head of Christ his accusation:

This is Jesus, the King of the Jews.

Mark says:

And the superscription of his accusation was written, "The King of the Jews."

Luke says:

And a superscription also was written over him in letters of Greek and Latin and Hebrew, "This is the King of the Jews."

John is said to have heard of it in this fashion:

And Pilate wrote a title and put it on the cross. And the writing was, "Jesus of Nazareth, King of the Jews." Then said the chief priests of the Jews to Pilate, "Write not the King of the Jews, but that he said I am the King of the Jews." Pilate answered, "What I have written I have written."

Christ was not stoned to death under the Mosaic law. He was crucified under the Roman law. According to John, Pilate said to the accusers:

Take ye Him and judge Him according to your law.

The Jews answered:

It is not lawful for us to put any man to death.

Matthew says that the mob cried, "His blood be on us and on our children." Neither, Mark, Luke, nor John ever heard of this invocation, and it was probably interpolated in the "Gospel according to St. Matthew" after the Christian religion had been preached to the Romans. Tacitus had written that, in the reign of Tiberius, Christ was "brought to punishment by Pontius Pilate, the procurator." Some one may have thought it would be easier to establish the Christian religion at Rome if the Roman governor and his army could be relieved from the stain of the crucifixion.

If Christ was a mortal, His crucifixion was one of the regrettable incidents of this world. If He was a mortal, He was a martyr, and this whether He suffered death because He desired to reform the management of the Temple or was intent upon removing the Roman yoke from the neck of His people.

But it is not because a human being was crucified that the Jews are persecuted. It is because they are charged with having crucified the Son of God. The words and spirit of the New Testament—the whole theory of the Christian religion—prove that this miserable charge should be abandoned. God created and peopled the world; man was weak and fell, and continued in his wicked ways until God drowned all living things, except a few and the fishes. It would probably have been better if Noah and his family had been drowned also and a fresh start taken. The saved generated wickedness, and the accountability of the human race for original sin continuing, God ordained a scheme of salvation which included the crucifixion of His son. Accepting this as true, how can the Jews be held accountable for the death of that Son. If an omnipotent God orders anything done, the human instruments selected to carry out His orders can not be charged with the acts commanded. The doctrine of repondeat superior applies.

If what happened could have been prevented by the Romans or by the Jews, then the New Testament is worthless. Let us assume that the Jews crucified Christ. Could they have done otherwise? Were they greater than God? According to the Bible, the crucifixion was arranged for by the Father. Why blame the Jews or the Romans or any other mortals? They did not know what they were doing. The Roman soldiers did not believe that they were crucifying the Son of God; they did not know that they were crucifying God himself. Why blame the instruments? Why persecute the descendants?

According to the synoptic gospels and according to John, the arrangements for the crucifixion—every detail—were made by Almighty God, and were known to Christ.

According to Matthew, Christ predicted His death, entombment, and resurrection, saying: "For as Jonas was three days and three nights in the whale's belly, so shall the Son of man be three nights in the heart of the earth."

Christ told His disciples that He must go unto Jerusalem and suffer many things and be crucified. He told Peter, James, and John not to publish the details of His transfiguration "until the Son of man be risen from the dead." He said: "The Son of man shall be betrayed into the hands of men and they shall kill Him." He said that He "came not to be ministered unto, but to minister, and to give His life, a ransom for many." He fell on His face and prayed, "O my Father, if it be possible, let this cup pass from me; nevertheless, not as I will, but as Thou wilt."

When one of His disciples would have resisted the capture, Jesus said that He could, by praying to His Father, obtain for His defense "more than twelve legions of angels," and added: "But how, then, shall the Scriptures be fulfilled that it must be?"

Moses and Elias talked to Jesus about His "decease which He should accomplish at Jerusalem." He said to His disciples:

Behold we go up to Jerusalem, and all things that are written by the prophets concerning the Son of man shall be accomplished.

According to Luke, Christ predicted that He should be delivered to the Gentiles, mocked, spit on, scourged, and crucified. When Pontius Pilate told Jesus that he had power to crucify or release Him, Jesus answered that the Roman had no power except it was given from above. Everything that was done was done in order "that the Scriptures might be fulfilled." Take this proposition from the New Testament, and the scheme of salvation is gone. Whoever wrote the "Gospel according to St. John," realized this, and these words are there credited to Christ:

As the Father knoweth me, even so know I the Father; and I lay down my life for the sheep. No man taketh it from me, but I lay it down myself. I have power to lay it down, and I have power to take it again. This commandment have I received from the Father.

The Jews refuse to believe that their ancestors crucified the Son of God. They are told that those who believe shall be saved, while those who doubt shall be damned. They answer that the proposition does not conform to the Mosaic law, and on this point they are beyond contradiction. They did not believe, and do not believe, that Herod slew all the male children "that were in Bethlehem and all the borders thereof from 2 years old and under." They have not as yet been able to make this story in Matthew agree with that of Luke, who says that Jesus was taken to Jerusalem a few days after His birth. They say that they can not understand why, if Joseph was not the father of Jesus, His mother should say to Him when He was at the age of 13, found in the Temple, "Son, why hast Thou thus dealt with me? Behold, Thy father and I have sought Thee, sorrowing."

To the Jews of nineteen hundred years ago and to the Jews of to-day the New Testament did not and does not appeal with sufficient force to produce belief. The miracles did not convince them. The Christian creed was very indefinite for centuries. St. Paul said:

If thou shalt confess with thy mouth the Lord Jesus, and shalt believe in thy heart that God has raised him from the dead, thou shalt be saved.

The Jews could not find the redeeming quality in this belief. They answered:

If Christ was God, or the Son of God, and was crucified and was raised from the dead, of what consequence is it whether we believe it or not?

When the Christians, in the early days, quarreled about their creed, the Jews were not aided. In the fourth century the creed was settled. Constantine, having embraced Christianity, called or suggested a council of bishops. It is not to be charged against the council that Constantine was one of the vilest murderers that ever disgraced the name of man. The council promulgated a creed. The Jews said, and yet say, that this creed is beyond human comprehension. The trouble with them is that they lacked and yet lack faith, and it is sure that no one without faith can clearly understand that creed. To anyone with faith it is as clear as the Book of Revelations. Not having faith, the Jews have not understood, and not understanding they have not accepted. It might have been better if something had been presented which would have allowed comprehension to precede belief; but it was and is, nevertheless, according to those who did and do understand, most reprehensible for the Jews to remain obstinate. Let this be admitted. Is not their punishment prescribed? Are they not to suffer in hell everlasting? Are they not to be boiled and baked and burned through countless trillions of years? This will, as I understand it, be sufficient to satisfy an offended God.

Why, then, should the prospect not be sufficient to satisfy those who believe in peace on earth, good will to men, and the possibility of hell hereafter? Let the church of Russia speak! Let the Czar speak! He is the head of that church. Not one in a thousand Russians knows that Christ was a Jew. The Russian Greek Church has in its possession many bushels of relics. It has sticks and stones and bones and rags. It proclaims that it has a garment worn by Christ; that it has some of his blood; that it has a picture of the Blessed Virgin, drawn by St. Luke; that it has the hand of St. Mark and the bones of the Prophet Daniel. That there is any efficacy in these relics is not believed by anyone outside of the Russian Church, but within that church they can be made instruments of command. Let the churches of Russia resound with the cry that the hand of St. Mark is the hand of a Jew. Tell the people that the garment of Christ was worn by a Jew. Tell those who crowd the churches that on the day of final judgment Jesus Christ will hold court with twelve Jews as associate judges. Tell the congregations that those who murder Jews will be punished in the next world—will be condemned to eternal punishment. Use the relics. The day will come when they will be cast aside, but that day is many generations afar. While they are paraded, let it be in the cause of humanity. The Russian Greek Church has done little or no good on this earth. It has not taught peace and good will; it has walked with the wicked and the cruel. It has not done its duty to the age in which it is tolerated.

In the greater part of the civilized world philosophy, science, and commerce have secured men from the fangs of ferocious bigots. We know that there never was and never can be a martyr without a murderer. We know that there is not a single word in the accredited sayings of Christ that will justify the murder of a human being. We no longer burn witches; we no longer wage wars of extermination. We no longer use the torture chamber, the stake, or the faggot. We no longer believe that God employs the merciless to execute his commands. We no longer believe that the blood of infants is demanded by a

heavenly fiend. We have not yet fully learned the lesson of true toleration; but we are advancing. It would be impossible to-day for any king who had murdered his wife to successfully start a new Christian church, or for a man who had burned his friend at the stake to be heard on religious questions. The plea of religious belief is no longer accepted as an excuse for crime. This is so in every country that has a true claim to civilization. It is not true in Russia because Russia is not a civilized country. It is better than it was fifty years ago; far better than it was a century ago. It is emerging from the darkness; it is moving toward the light; its steps, halting and painfully slow, are, nevertheless, toward civilization—toward true manhood, true womanhood, and true childhood. It is almost impossible to estimate how much this advance will be aided if the Russian Church will display on every cathedral, on every meetinghouse, on every altar, the legend:

Remember that Christ was born of a Jewess. He was not crucified by the Jews, but died because His death was commanded by His Father, the God whom you worship.

[Loud applause.]

Mr. GAINES of Tennessee. Mr. Chairman, Postmaster-General Bissel annulled a number of very costly "mail subsidies," economized in that way, saving nearly \$17,000,000 in the year 1893 or 1894, as he states. He alludes to this in his report, dated November 20, 1894, and I desire to print in the RECORD what he says on the subject, as follows:

ECONOMIES.

While the policy of this Department has been, as foreshadowed in my last annual report, to develop the postal service under existing methods of administration, avoiding expensive experiments, still, great care has been taken to effect economies in all matters not likely, in the opinion of the Department, to affect the efficiency of the service.

HOW MONEY HAS BEEN SAVED.

The economies have consisted mainly in securing relief to the Government from existing contract obligations and from reletting contracts

for mail transportation, and upon the cost and amount of supplies. Of the first, the more important relate to the steamship subsidy contracts which had been made by my predecessor pursuant to the provisions of the act of Congress approved March 3, 1891. I found eleven such contracts in existence, most of them running for ten years and none less than five years. Seven of the eleven contracts have been entirely abrogated during the year.

CONTRACTS ANNULLED.

The payments stipulated to be made by the Government under these seven contracts were very large in amount, while the advantages to accrue to it were so purely theoretical as to render their abandonment the subject of congratulation. A detailed statement of these contracts will follow in this report. I here state only the aggregate amount saved by annulment. I add to the list only such other economies effected in the line of what seemed to be good administration as are capable of definite ascertainment and actual computation.

The total amount of useless expenditure thus avoided is as follows:

Steamship subsidy contracts	\$14,431,325.09
Stamped envelopes	906,480.00
Adhesive postage stamps	275,156.00
Repairs of scales	2,000.00
Repairs of carrier satchels	11,435.33
Saving on supplies of twine	12,000.00
From reletting contracts for star service	902,644.84
From reletting contracts for steamboat service	78,006.16

Total 16,619,047.42

CONTRACT OCEAN MAIL SERVICE.

Only three contracts are in operation, viz, New York to La Guayra, New York to Tuxpan, and New York to Habana:

At a cost of	\$286,868.00
If they had not been under contract the cost would have been	29,088.72

The difference being 257,779.28

The noncontract system gives us the choice of the fastest and best steamers at a minimum of cost, but has the disadvantage of leaving us without any control over the movements of the vessels.

STEAMSHIP SUBSIDY CONTRACTS.

The following table shows the contracts made by my predecessor under the act of March 3, 1891, the obligations created under each, those canceled during the year, and those now remaining in force:

Statement (1) showing the contracts for ocean mail service fully executed pursuant to the act of Congress approved March 3, 1891, the pay per mile, per annum, and the entire contract term on each route; (2) the contracts which have been canceled, and (3) the contracts still in force.

Route.			Contract term.			Service discontinued.	Compensation.						Whole amount paid up to June 30, 1894.	Unexpended balance.	
No.	Terminals.	Contractors.	Years.	From—	To—		Per annum.					For the entire contract term.			
							No. of years.	Rate per mile.	Amount.	No. of years.	Rate per mile.				Amount.
30	Galveston to La Guayra.	John B. Clarke..	5	Jan. 15, 1894	Jan. 15, 1899	Jan. 22, 1894	—	—	—	\$0.66½	\$57,672.00	\$288,360.00	None.	\$288,360.00	
36	New York to La Guayra.	Boulton, Bliss & Dallett.	10	Mar. 1, 1892	Mar. 1, 1902	Still operative.	—	—	—	1.00	81,288.00	812,880.00	\$187,414.00	625,466.00	
42	New York to Colon.	Pacific Mail S. S. Co.	10	Feb. 1, 1892	Feb. 1, 1902	Mar. 31, 1894	2	\$82,116	8	1.00	118,612.00	1,113,128.00	166,513.00	946,615.00	
44	San Francisco to Panama.	do	10	do	do	Sept. 30, 1893	3	\$30.66½	99,224	7	1.00	214,985.33	1,802,569.33	141,025.74	1,661,543.59
47	San Francisco to Hongkong.	do	10	do	do	Mar. 31, 1894	2	1.00	95,524	8	2.00	382,096.00	3,247,816.00	198,396.00	3,049,420.00
57	New York to Southampton.	International Navigation Co.	10	Oct. 12, 1895	Oct. 12, 1905	—	—	—	—	4.00	\$760,894.00	7,608,640.00	None.	7,608,640.00	
58	New York to Antwerp.	do	10	do	do	Jan. 30, 1894	—	—	—	4.00	\$799,968.00	7,999,680.00	None.	7,999,680.00	
64	New York to Buenos Ayres.	United States and Brazil Mail S. S. Co.	5	Dec. 10, 1892	Dec. 10, 1897	Sept. 30, 1893	—	—	—	.66½	38,213.33	191,066.67	3,152.17	187,914.50	
67	New York to Rio de Janeiro.	do	5	Dec. 1, 1892	Dec. 1, 1897	do	—	—	—	.66½	62,040.00	310,200.00	12,408.00	297,792.00	
69	New York to Tuxpan.	New York and Cuba Mail.	5	Nov. 1, 1892	Nov. 1, 1897	Still operative.	—	—	—	1.00	\$130,104.00	650,520.00	215,172.00	435,348.00	
70	New York to Habana.	do	5	do	do	do	—	—	—	1.00	73,476.00	367,380.00	122,981.00	244,449.00	
Total.....			—	—	—	—	—	—	—	—	—	24,392,240.00	1,047,011.91	23,345,228.09	

(2) CONTRACTS CANCELED.

30	Galveston to La-Guayra.	John B. Clarke..	5	Jan. 15, 1894	Jan. 15, 1899	Jan. 22, 1894	-----	-----	-----	\$0.66½	\$57,672.00	\$288,360.00	None.	\$288,360.00	
42	New York to Colon.	Pacific Mail S. S. Co.	10	Feb. 1, 1892	Feb. 1, 1902	Mar. 31, 1894	2	-----	\$82,116	8	1.00	118,612.00	1,113,128.00	\$166,513.00	946,615.00
44	San Francisco to Panama.	do	10	do	do	Sept. 30, 1893	3	\$0.66½	99,224	7	1.00	214,985.33	1,802,569.33	141,025.74	1,661,543.59
47	San Francisco to Hongkong.	do	10	do	do	Mar. 31, 1894	2	1.00	95,524	8	2.00	382,096.00	3,247,816.00	198,396.00	3,049,420.00
58	New York to Antwerp.	International Navigation Co.	10	Oct. 12, 1895	Oct. 12, 1905	Jan. 30, 1894	-----	-----	-----	4.00	799,968.00	7,999,680.00	None.	7,999,680.00	
64	New York to Buenos Ayres.	United States and Brazil Mail S. S. Co.	5	Dec. 10, 1892	Dec. 10, 1897	Sept. 30, 1893	-----	-----	-----	.66½	38,213.33	191,066.67	3,152.17	187,914.50	
67	New York to Rio de Janeiro.	do	5	Dec. 1, 1892	Dec. 1, 1897	do	-----	-----	-----	.66½	62,040.00	310,200.00	12,408.00	297,792.00	
Total			-----	-----	-----	-----	-----	-----	-----	-----	-----	14,952,820.00	521,494.91	14,431,325.09	

Statement (1) showing the contracts for ocean mail service fully executed pursuant to the act of Congress approved March 3, 1891, the pay per mile, per annum, and the entire contract term on each route; (2) the contracts which have been canceled, and (3) the contracts still in force—Continued.

(3) CONTRACTS STILL IN FORCE.

Route.			Contract term.			Service discontinued.	Compensation.						Whole amount paid up to June 30, 1894.	Unexpended balance.	
No.	Terminals.	Contractors.	Years.	From—	To—		Per annum.					For the entire contract term.			
							No. of years.	Rate per mile.	Amount.	No. of years.	Rate per mile.				Amount.
33	New York to La Guayra.	Boulton, Bliss & Dallett.	10	Mar. 1, 1892	Mar. 1, 1902	-----	-----	-----	-----	\$1.00	\$31,283.00	\$312,880.00	\$187,414.00	\$625,406.00	
57	New York to Southampton.	International Navigation Co.	10	Oct. 12, 1895	Oct. 12, 1905	-----	-----	-----	-----	4.00	700,804.00	7,008,040.00	None.	7,008,040.00	
69	New York to Tuxpan.	New York and Cuba Mail.	5	Nov. 1, 1892	Nov. 1, 1897	-----	-----	-----	-----	1.00	130,104.00	650,520.00	215,172.00	435,348.00	
70	New York to Habana.	do.	5	do	do	-----	-----	-----	-----	1.00	73,476.00	367,380.00	121,931.00	244,449.00	
Total												9,439,420.00	525,517.00	8,913,903.00	

^aThe length of routes Nos. 30, 57, and 53 have not been furnished officially; consequently the estimates of pay upon those routes are approximate only.
^bCalculated upon a length of 2,502 statute miles.

The CHAIRMAN. The time of the gentleman has expired.
 Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from Missouri [Mr. LLOYD].

Mr. LLOYD. Mr. Chairman, the postal system of the United States may properly be said to have begun under the illustrious Benjamin Franklin, who was Postmaster-General of the colonies from 1753 to 1774. His administration of affairs during that nineteen-year period was especially noted for its efficiency, and commended not only at home, but abroad, for what he had accomplished, and yet at the end of his long service the postal receipts were only \$15,000 per annum. It is remarkable what has been the growth of this wonderful American system. In 1790, when the Government began its existence, there were seventy-five post-offices, and the receipts of that year were \$38,000. In 1850, sixty years afterwards, the number of post-offices was twenty-five times as great, and the receipts and expenditures were one hundred and fifty times as much as at the beginning. In 1905 the post-offices were four times as many as they were in the year 1860, and the receipts and expenditures were thirty times as great as they were at that time. The greatest number of post-offices in the history of the Republic was in 1901, when there were 76,945. This number has been reduced each year since that time because of the rural free delivery, and the probabilities are that that number will be greatly diminished in the next few years.

It is not my purpose to follow the history of postal legislation and the development of this great system. I am concerned to talk somewhat with reference to some of the questions that affect the country and some of those in the items of this bill.

The pending measure carries a greater amount in money by \$10,000,000 than was ever carried by a post-office appropriation bill. There is not one dollar appropriated that was not thought to be necessary to be appropriated by the Committee on the Post-Office and Post-Roads. It is true that there are some items in this bill upon which there is some difference of opinion. You have seen an exhibition of that difference in the last few minutes. It is not my purpose, however, in the time allotted me, to discuss the special facilities, which is the subject of greatest disagreement.

The postmasters in the United States to-day receive over \$22,000,000 for their services. It may be a fact, to which your attention has not been called, that the postmasters of the United States are receiving one-half as much as is paid to the railroad companies for carrying the mail of the country. It may be a fact with which you are not familiar that we pay as much to the city carriers and to the clerks and assistants in city post-offices as is paid to the railroad companies for the transportation of mail.

The postmasters' salaries in the last five years have increased 19 per cent. The pay to the railroad companies for carrying the mail has increased 19 per cent. The letter carriers' salaries in this period have increased 48 per cent, and the compensation for clerks in post-offices has increased in the period of five years 70 per cent. It is my purpose in the remarks that I shall make to confine myself mainly to the question of railway mail pay.

To me, and I suppose to you, it is a difficult and an intricate question to determine whether or not the pay to the railroad companies for carrying the mail is excessive or not. I shall

at this moment call attention to the comparative expenditures for railway mail pay and also the expenditures of the Post-Office Department in general. We expended, in 1880, for carrying the mail, \$9,200,000; in 1905 we paid \$46,700,000, about five times as much. The general expenses of the Post-Office Department in 1880 were \$36,000,000; in 1905, twenty-five years later, \$181,000,000, or practically five times as much, showing that the progress in amount paid to railroads and the amount paid in the expenditures for the Post-Office Department have kept pace with each other. One of the most difficult things to determine in the investigation of this matter is how the mail is weighed and compensation based thereon is determined.

I submit at this time and will put in the RECORD a statement of the schedule of rates for the railway mail transportation. The law is so framed that the greater amount of mail there is carried, the less per pound it will cost to carry the mail. If there has been an average weight of 200 pounds carried on a railway train, it will cost \$42.75 to carry it. An average weight of 500 pounds will cost \$64.12. Five thousand pounds will only cost \$171, and every additional 2,000 pounds costs \$21.37 to carry it. This is an automatic reduction.

Most persons discussing the question of railway mail pay, especially those who are of the opinion that the amount expended for this item is too great, insist that we pay too much per pound for carrying the mail. They insist also that the law affecting railway mail pay has not been changed since 1878, and that because the railroad companies have voluntarily reduced freight rates and passenger charges the law ought to be changed reducing railway mail pay.

Since 1880 the reduction on account of passenger traffic has been from 2½ cents per mile to 2 cents per mile, a reduction of one-half cent per mile, or a decrease of 20 per cent. There has been a diminution also on account of freight charges of 40 per cent; but, strange to say, if you have not investigated it, there has been a reduction of 47 per cent on account of railway mail pay. In other words, the railroad companies in 1905 received 47 per cent less per ton-mile for carrying the mail than they did in 1880, and under this automatic reduction, by reason of the fact that there was so much mail to be carried, there has been this reduction in the rate per ton-mile.

I had always been impressed with the notion that was extant, that every pound of mail carried on a railway train cost the Government from 6 to 8 cents per pound to carry it. That statement has been made in the press; it has found its way into the reports of the Postmasters-General. That statement has been made repeatedly on the floor of this House. My impression is, however, that if you will carefully investigate the matter, you will find that it is untrue that the Government pays to the railroad companies 6 cents, 5 cents, 4 cents, or 3 cents per pound, but that in 1905 the amount per pound that was expended for carrying railway mail only amounted to 2.2 cents per pound.

What is mail? An investigation was made and a weighing was had in 1899 which astounded a great many people. Do you know that according to the weighing that was then made there was actually expended in the United States more money for carrying mail sacks than was paid for carrying the mail? Notice the statement. In 1899 51½ per cent of all the mail was sacks. I mean to say that the sacks and pouches were 51½ per cent of all the weight of the mail.

Mr. JOHNSON. In weight?

Mr. LLOYD. Yes, sir. I call your attention now to the statement of the weight. The mail was weighed for a period beginning on the 3d day of October and continuing for thirty-five days. The weight for that period was as follows:

	Pounds.
First class	9,000,000
Second class	38,000,000
Second class (free)	3,000,000
Third and fourth class	14,000,000
Government (free)	9,218,000
Equipment	76,806,000

Equipment! Now, what is equipment? Any of us would understand that equipment is not mail, but what is it?

Mr. SMITH of Kentucky. What was the date of that weighing?

Mr. LLOYD. Beginning October 3, 1899, and continuing for thirty-five days. In order to satisfy myself fully as to what equipment was I have obtained from the Second Assistant Postmaster-General a statement on that subject, which I send to the Clerk's desk to be read.

The Clerk read as follows:

POST-OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER-GENERAL,
DIVISION OF RAILWAY ADJUSTMENT,
Washington, March 30, 1906.

Sir: Referring to your letter of the 29th instant, asking as to "what equipment" is as used in weighing? Does it consist of anything excepting sacks; if so, what? Is the sack and the mail it may contain weighed separately? I have to state that in the weighing in each post-office of the country from October 3 to November 6, 1899, the mail was weighed separately from the sack or pouch. The tables on pages 258 and 261 of the report of the Postmaster-General for 1900 (Tables I and M) show the weight of the several classes of mail and also of equipment for the thirty-five days covered by the weighing, together with the estimated weight for the year and the percentage of the several classes of mail and equipment. Table I shows mail for all classes of routes. Table M shows only such matter as was sent to railroads.

In the regular weighings of the mail for the purpose of securing data on which the adjustment of pay for transportation on railroad lines is based the sack and contents are weighed as mail. The term "equipment" or "empty equipment" used in the weight returns covers the empty sacks that are used for car dressing—that is, filling the racks so that the proper and expeditious assortment of the mail may be made, as well as such empty equipment as must be carried to meet the needs of the exchanges at intermediate points on the line. It covers, of course, the mail locks as well as the empty sacks.

Very respectfully,

W. S. SHALLENBERGER,
Second Assistant Postmaster-General.

Hon. JAMES T. LLOYD,
House of Representatives.

Mr. LLOYD. You will observe from this statement that equipment means a sack or pouch, and that at the time of the weighing in 1899 the equipment was a little more in weight than the half of the full weight of mail.

There is another fact to which I want to call attention. That is shown by the table before me. At the time of the weighing there was only 40 per cent of the mails that paid any revenue to the Government. At that time there were 1,565,000,000 pounds of mail matter, but only 40 per cent of it was paying any revenue to the United States. You will notice in the table that I read a moment ago Government free matter. There were 9,000,000 pounds of Government free matter.

According to the same proportion, during the year there would have been 96,000,000 pounds of this class. We are worried now about a deficiency of \$14,000,000. In the postal business of last year if the Government had paid its own postage there would be no question about a deficit.

Mr. SMITH of Kentucky. May I interrupt the gentleman?

Mr. LLOYD. Certainly.

Mr. SMITH of Kentucky. What is the comparative weight of the Government free matter and other free matter? I understand that there are two classes of free matter—one is the newspaper that circulates in the county of publication and the other is the Government matter—and I would like to understand the difference in the weight, if the gentleman can tell me.

Mr. LLOYD. The second-class free matter, which was county papers circulating in the county in which they were published, amounted to 3,140,000 pounds in that thirty-five days. The Government free matter amounted to 9,218,000 pounds.

Mr. CLARK of Missouri. Will it disturb the gentleman if I ask him two or three questions?

Mr. LLOYD. Certainly not. I yield to the gentleman from Missouri.

Mr. CLARK of Missouri. Is there any proposition in the pending bill to have the Government send its desks and supplies and everything of that kind either by freight or express instead of through the mail?

Mr. LLOYD. Yes; there is.

Mr. CLARK of Missouri. If that is accomplished, would not that save the Government enough to wipe out the deficiency that there is so much talk about?

Mr. LLOYD. I can not answer that, because there is no data by which we can say how much these supplies that have gone through the mails amount to. There is no doubt but that the War Department and other Departments are sending large amounts of furniture and such things through the mails, but just how much there is of it there is no way to determine. We do not know the amount of it, but we do know that the fact exists that it is done.

Mr. JOHNSON. It would not make any difference until the next weighing period came along, would it?

Mr. LLOYD. No, sir.

Mr. CLARK of Missouri. No; it would take four years to get rid of the incubus if you start now, but if you do not start in you never would get rid of it.

Mr. SMITH of Kentucky. Mr. Chairman, the suggestion that the gentleman from South Carolina made about the weighing of the mail is a subject that I want some information about. I have seen the statement somewhere that after the rates were fixed for the transportation of the mails upon the railroads in 1901 that by some order of the Post-Office Department they cut out a lot of second-class matter that had been computed in arriving at the pay that the railroads should receive for the ensuing four years from July 1, 1901, and thereby the railroads were relieved from carrying a great quantity of second-class matter that under the contract they had been required to carry and were actually paid for. Is there anything in that statement or not?

Mr. LLOYD. I hardly think there is any considerable truth in that statement, and yet there is an element of truth in it. But, Mr. Chairman, with reference to the weighing. At the present time second-class mail matter is weighed, and has been for a number of years. We can ascertain how many pounds of that class of mail is carried. We can not ascertain exactly how much of any other kind of mail is carried. I have sought to find out, if it were possible, what was the weight of the mails.

I have been concerned in this argument, if I could do it, to show to every individual, whether he has investigated the subject or not, something about what he pays in dollars and cents and per pound for the mail that is carried. If I say to the average individual that it costs, say, 12 cents per ton-mile to carry mail, then I must try and explain what a ton-mile means. I have been investigating that for about thirty days, and I can hardly find out what a ton-mile is. I observe that Professor Adams, who was employed by the Commission of 1898, states that there were 272,000,000 pounds in ton-miles carried in 1898. How he ascertained that there were 272,000,000 pounds carried a ton-mile I can not explain. There was more mail carried than 272,000,000 pounds, as everybody knows, but I have had difficulty in determining what made a ton-mile in his estimates. I have sought to get down to the practical basis, how much does it cost per pound to carry the mail? We go back to our constituents, to home and friends, who are concerned to know about this matter, and they ask how much is paid for carrying the mail, and I say in response, 10.83 cents per ton-mile. What would they know about it? No more than I do, and I am yet trying to get at what we do pay, as figured out by Mr. Adams, an expert.

Mr. STANLEY. Is it not especially important to have this information not only for our constituents, but in order to make a fair estimate to the railroad men of the mail that is carried, and while the mail is being weighed to get at the amount of mail that is to be carried at the various times when the mail is not being weighed? Now, do you pay them by the ton-mile?

Mr. LLOYD. No, sir.

Mr. STANLEY. Is the weight made to the Government on that basis?

Mr. LLOYD. No; if you will excuse me, I will explain as best I can how mail is weighed and how we determine the compensation—that is your point?

Mr. STANLEY. No; here is what I want to get at. If you can not determine from the statement of the railroads how much mail is carried in a year, have you any data by which you can tell whether the mail that was carried during the mailing season is greater or less than the amount of mail that is carried at some other month or sixty days in the interim between that and the next weighing?

Mr. LLOYD. No; there is no way of determining that.

Mr. STANLEY. Does it not appear to you that this ton-mile list is a cloak to keep from us that very fact?

Mr. LLOYD. I was undertaking to explain the system of weighing the mail. It is a very complicated method, but I believe a very fair one. I obtained from the Post-Office Department a statement of the weighing of the mails between Quincy, Ill., and St. Joseph, Mo., over the Burlington route, which runs through the district in which I am specially concerned. I find

from that statement—they require mail to be weighed for sixty consecutive days—that there was sent out an aggregate amount of mail from Quincy, starting toward St. Joseph, of 811,000 pounds. Now, there was put on at West Quincy, which is the first station after leaving Quincy, 1,360 pounds in the sixty days. In order to obtain the compensation, they multiply that 811,000 pounds by the distance between Quincy and West Quincy, which is two and a half miles. Then they add the 1,360 pounds which was put on at West Quincy. That serves as a basis for computation between West Quincy and the next station, which is Palmyra. Then multiply that sum by the number of miles which intervene between West Quincy and Palmyra. That determines the weight for that distance. At Palmyra there was a very large amount of mail put on and some mail taken off. They find the difference between the two and add that to the amount of mail that was carried between West Quincy and Palmyra. They keep up the process to the end. The same course is pursued on incoming mail. Then they add these several sums together, incoming and outgoing, and divide it by the whole distance, or 206 miles, between Quincy and St. Joseph, Mo.

Mr. SMITH of Kentucky. I have a statement here I want to read, and I ask the gentleman, as this is such a complicated matter, if this is a correct definition of what per ton per mile means? It says, "On any route if one multiplies the miles into the daily weight and reduces the product to tons he will have the tons carried a mile a day on that route. Then dividing the yearly payment by the number of days and divide the quotient by that product he will have the price per ton per mile. This is to be done separately on every route."

Mr. STANLEY. That is something like "How old is Ann?"

Mr. LLOYD. That is a correct statement, I think, but if I was going to make that kind of a statement to one of my constituents, what would he say in reply?

Mr. STANLEY. Now, have we any way of determining whether or not the amount of the Government mail—

Mr. NORRIS. I wonder if the gentlemen could not be induced to talk a little bit louder, so that we can hear their conversation? They are not talking above a conversational tone at present.

Mr. STANLEY. I asked if we have any way to determine whether or not the amount of mail that is carried during this carrying period is a fair average of the mail that is sent out by the Government, especially during those periods—for instance, the weight during this sixty days. Now, can you get any record of the amount of mail that is sent out by the Government during that sixty days, or is there any record to determine it?

Mr. LLOYD. No; there is no record of what is in the mail or what went through the mail, except it weighed so many pounds.

Mr. STANLEY. That is all.

Mr. OVERSTREET. If my colleague will permit, I think the gentleman appreciates that the weight as found at the time of the weighing period is the minimum for the time, because there is a constant growth in the volume of business. I think it is a little more than the average weight.

Mr. LLOYD. That answers a different question.

Mr. OVERSTREET. Then I did not understand the question.

Mr. LLOYD. That answers the question asked by my friend from Kentucky [Mr. SMITH] a short time ago, that if we took out of the mail the carrying of furniture and other things of that kind, if that were withdrawn from the volume, that would be paid for anyhow.

Mr. SMITH of Kentucky. This sixty days' weighing, as I understand, is the general weighing that takes place every four years in advance of the letting of these contracts.

Mr. LLOYD. Yes, sir; the United States is divided into four sections, and there is a weighing in one section each year until the four-year period is completed, and then they go back and go over it again.

Mr. SMITH of Kentucky. The gentleman has also referred to the thirty-five days' weighing.

Mr. LLOYD. That was a special weighing that was ordered by the commission appointed in 1898 to investigate the railway mail pay.

Mr. SMITH of Kentucky. And in that way they ascertain the weight of the different classes of mail and kinds of mail.

Mr. LLOYD. Yes, sir.

Mr. SMITH of Kentucky. But they do not under the general weighing, as I understand?

Mr. LLOYD. That is right.

Mr. STANLEY. How long was it, if the gentleman will per-

mit me, after the general weighing that this special weighing was made?

Mr. LLOYD. Well, the general weighing, you know, goes on each year.

Mr. STANLEY. For that peculiar section?

Mr. LLOYD. For one-fourth of the country. The weighing takes place early in the year, but this special weighing began on the 3d of October and was completed on the 5th of November.

Mr. STANLEY. Do you know when this special weighing was made in Missouri, and do you know how long this weighing was after the last general weighing took place?

Mr. LLOYD. This particular weighing in Missouri to which you refer was in 1902, three years after the special weighing.

Mr. STANLEY. Three years after the Government weighing?

Mr. LLOYD. Yes, sir.

Mr. STANLEY. Do you know how that weighing compared with the last general weighing?

Mr. LLOYD. I do not know; it is very difficult to give an exact answer to that. You can not go back and make a specific computation. It is not decided by the amount put on the train and taken off the train, but is determined by the average amount of mail that is carried from the beginning of the route to the end of the route.

Mr. SMITH of Kentucky. I will suggest to my colleague that the general weighing made in this eastern district—the first district, I think it is called—was from September, 1900, to June 30, 1901, and upon that the contracts were let for the four years on July 1, 1901. The special weighing was made in 1899, as the gentleman from Missouri says, from October to November, 1899.

Mr. STANLEY. This special weighing was made by the Government and not by the Department.

Mr. LLOYD. I stated before this interruption began—and I courted the interruption; I am perfectly willing to answer any questions asked if I can do it, because we are all seeking light in this matter—

Mr. BEALL of Texas. I want to avail myself of that invitation and ask the gentleman a question. Take a case like this: Now, I understand the mail is weighed in a particular locality every four years.

Mr. LLOYD. Yes, sir.

Mr. BEALL of Texas. Supposing the mail going to a certain place during that weighing period amounts to 50,000 pounds. In the succeeding four years there may be an increase in the business of that locality and in the amount of mail carried, and, say, at the end of three years and six months during the same period of time covered by the weighing period it has increased to 100,000 pounds, would the company be paid simply at the rate of 50,000 pounds, or would it be paid on the increased amount?

Mr. LLOYD. They would be paid at the rate of 50,000 pounds until the succeeding weighing period.

Mr. BEALL of Texas. Another four years?

Mr. LLOYD. Yes, sir.

Now, I started to try to explain how to determine what is the weight of mail, and when we determine the weight of mail, then we can easily determine how much per pound it costs to carry it. I must say at the outset with reference to this that it must be largely problematical. As I stated some time ago, the second-class mail is weighed from year to year, and we know what that is. Now, in 1899, when all the classes of mail were weighed, 30 per cent—notice the statement, 30 per cent—in round numbers, was second-class mail matter.

Now, I have taken the second-class mail matter in pounds, as it has been determined by the Government, and have determined on that basis of 30 per cent what would be the full weight of mail during the various periods. If the second-class mail is 30 per cent of all that is carried in mail, including equipment, then taking the second-class mail as 3 cents, 10 cents will be the whole amount of mail carried. I have made a computation for the years 1880, 1885, 1890, 1895, 1900, and 1905 on this basis, and in a table give the weight of the second-class mail, the estimated weight of all mail, the cost of carriage on the railways, and the cents per pound in cost, as follows:

Year.	Second-class mail.	Weight of all classes.	Total cost of carriage on railway.	Per pound.
	Pounds.	Pounds.		Cents.
1880	61,322,629	204,480,000	\$10,498,986	5.1
1885	101,057,963	336,859,870	16,627,983	4.9
1890	174,046,764	580,153,840	23,385,231	4.3
1895	205,314,382	684,381,270	31,205,342	3.5
1900	382,538,999	1,265,666,508	37,793,981	2.8
1905	618,064,754	2,210,357,000	44,893,900	2.2

According to my estimate we are paying to-day 2½ cents per pound for carrying the mail on the railway trains, rather than 6 or 8 cents, according to the statements that have been made.

Now, it does not follow because of this fact that railway mail pay is not excessive and that it ought not to be reduced. I shall insert in my remarks a statement made by Professor Adams, who is a recognized authority, showing by tables that he has made a comparison between the mail transportation and the express transportation. It is argued, as all of you know, that the railroad companies ought not to receive anything more from the Government for carrying the mail than they receive from the express companies for carrying express matter. Unfortunately, it is impossible for us to determine how much the express companies receive from the people in the transaction of their business.

Mr. RUCKER. Will it disturb the gentleman to go back for a moment?

Mr. LLOYD. No.

Mr. RUCKER. Myself and some of my colleagues are at variance concerning the answer which the gentleman made a while ago. I will assume at first, for convenience, that along a certain line of mail route the weight, as shown by the weighers during this weighing period of sixty days, is 1,000 pounds a day for the sixty days. This forms the basis upon which the contract price for carrying the mail is based.

Mr. LLOYD. No; you take the outgoing mail and the incoming mail.

Mr. RUCKER. Both together, of course.

Mr. LLOYD. Taking the two together, that makes the basis.

Mr. RUCKER. Now, the point I want to get at is this: Suppose that during the next sixty days, instead of the mail carried amounting to 1,000 pounds, it amounts to 2,000 pounds. Does the railroad carry that 2,000 pounds for the same compensation, the same number of dollars, that it carries the 1,000 pounds?

Mr. LLOYD. It gets its pay for four years on the basis of a sixty days' weighing.

Mr. RUCKER. So that if the weight is two times or five times as much, the railroad company gets no more for it than if it just simply continues at the average of 1,000 pounds?

Mr. LLOYD. That is correct.

Mr. SMITH of Kentucky. Do I understand the gentleman from Missouri to say that it is fixed absolutely at the weight shown by this sixty-day weighing, or do they not calculate upon a percentage of increase each year?

Mr. LLOYD. No, sir; and the railroad companies complain because they say the Government requires them to carry a great deal of mail for which they receive no pay. Of course we know that the mail increases each year, and they say that they get nothing for carrying this additional weight of mail.

Mr. JOHNSON. As a matter of fact, is not that complaint well founded? Does not each subsequent weighing show an enormous increase in the amount of mail carried? That is to say, all over the United States we know that there is an enormous development of the business of the country, and that the mails carried are increasing very much.

Mr. LLOYD. That is undoubtedly the fact. The mail is increasing all over the country. Now, I stated a moment ago, in the table I had prepared, that the actual amount per pound was 2.2 cents for carrying the mail. It may be said that we ought to take into account other expenses in determining this estimate. They may say that you are talking about mail when the law contemplates equipment as well, and, in fact, the mail pays twice 2.2 cents per pound. There can be no doubt of that proposition, that we actually pay 4.4 cents for every pound of mail that is carried on a railway mail train, because included in the mail, but not a part of it, in fact, is the equipment. That is plain, is it not?

Mr. STANLEY. Right there, you do not approve of that failure to distinguish between them, do you? You think that there should be a distinction between the mail and the sacks in which it is carried.

Mr. LLOYD. Oh, yes.

I called attention a few moments ago to the enormous weight of equipment. There was paid last year for carrying equipment alone, if the same proportion was maintained as in 1899, over \$20,000,000. There is certainly no necessity for this extraordinary expenditure. Economy should be sought in this direction. It is a ridiculous proposition that the mail sacks and pouches should cost more in transmission than the mails. There are at the present time over 1,600,000 mail sacks and pouches in use. If these were equally distributed each day and all of them were used and the same amount placed in each sack, there would be less than 2 pounds of mail in each one. I have no doubt that 10 per cent less sacks might be used and accomplish

the same purpose as at present. This would save at least \$2,000,000 annually. Sacks and pouches can be reduced in weight by making them of lighter material and putting less iron in the fastenings and clasps. It seems to me that at least 25 per cent of weight might be saved if this economy were assiduously attempted. If this were done it would reduce the weight of equipment one-fourth and save \$5,000,000 annually to the Treasury. I am pleased to note that this saving has been begun. The recent contracts for mail sacks and pouches are for those much reduced in weight. Those now making weigh on an average a little over 4½ pounds. I have no doubt this can yet be reduced to 3½ pounds without any injury to the service.

If empty sacks were shipped in bulk from mail centers by freight, there ought to be a saving of \$1,000,000 more. There is an item in the pending bill which provides for expenditure on this account. In all weighings after this time empty sacks and pouches should be weighed separately, so the Government may ascertain how much it expends in the transportation of empty sacks. I feel sure that reform along these lines would result in a saving to the Treasury of some seven or eight million dollars each year.

It has been ascertained upon inquiry that the Post-Office Department, Treasury officers, Army officers, and other Government employees have, under the laxity of the penalty privilege, sent through the mails free of postage furniture, safes, desks, Army headquarters equipment, Treasury appliances, and very many heavy articles of merchandise. How much of this has been done no one can tell. How much it means in dollars there is no way to accurately estimate, because there is no data at hand for the computation. One thing is sure—it has added much to the weight of the mails and should no longer be tolerated. Such goods should be sent as any private individual would send them. If such things are excluded from the mails, it would save much to the revenue and would reduce the amount to be paid to the railroads.

It is asserted that the best comparison that can be made to determine whether the railroad companies are receiving excessive sums for carrying the mail would be in comparison with express rates and the amount received for passenger traffic. The report of the statistics of the railways for the year 1905 show that the railroads received from the Government for carrying the mails the sum of \$44,499,732, and on account of express the sum of \$41,875,636. We have no way of ascertaining the amount of business which the railroads did for the express companies, nor the amount received by the express companies for their charges, so that there is no way of ascertaining the exact data with which to make the comparison, excepting as the railroads have reported the amount received for carrying express matter. I wish to call attention at this time to a table begun by Professor Adams, expert accountant for the Commission of 1899, and completed to date, which shows the average amount received per mile for passenger service at different dates, the amount received per ton for freight carried 1 mile, and the amount per ton mail per mile, including postal-car compensation, at various dates.

Year.	Passengers. ^a	Freight. ^b	Mail. ^c
	Cents.	Cents.	Cents.
1880.....	0.0251	0.0129	0.206
1890.....	.0217	.0094	.1497
1905.....	.02	.0078	.1089

^a 20 per cent.

^b 40 per cent.

^c 47 per cent.

This condensed table will show that passenger rates since 1880 have been reduced 20 per cent, freight rates 40 per cent, and mail compensation 47 per cent. This table is accepted as correct, as I understand it, by everyone, so far as made by Professor Adams. The last statement I have obtained myself. This does not show, of course, that the railroad companies do not receive an excessive sum for carrying the mail, but simply serves to inform us that there has been a greater reduction in mail pay than either passenger or freight receipts during that period.

In the hearings before the Commission of 1898, various comparisons were made of express and passenger receipts and freight rates, all of which tended to show that the railroads received more for carrying express than for carrying the mail, but that the difference was very small. In some instances it was shown that the amount paid for carrying the mail was much less than that received for carrying express. Especially was that true on the route between New York and Philadelphia. There is another element which enters into the problem, which is very difficult to determine. Express companies receive pay for weight and distance, while mail is carried at the same rate per pound without regard to distance. The average distance ex-

press is carried is much less than the average haul of mail, but just how much there is no data at hand to determine. It is charged that many items which may be sent either by mail or express are sent by express if the distance is short, and by mail at the greater distance.

In my remarks I have endeavored to present facts rather than arguments. I have tried to call attention to existing conditions, rather than present remedies for existing evils. I have made no demand for reduction of railway mail pay, excepting as the facts developed would indicate its propriety. I have said nothing favorable to the railroads, excepting as the truth shown might indicate it. My own conviction is that more light is needed. The express companies should be required to make public statement of their business just as the railroads and banks are required to do. There should be a complete weight of the mail by classes, and more definite data obtained, so as to determine the rights both of the railroads and the Government. Every critical examination thus far made on the question of railway mail pay has led to uncertainty and doubt as to what was right in the premises.

My colleague on the committee, the Member from Pennsylvania [Mr. SIBLEY], in his excellent address on last Saturday, made some statements with reference to second-class mail matter to which I wish to call attention. In speaking of the cost of carrying the second-class matter, he said it was carried at a loss of more than \$27,000,000 annually to the Government, and inquired whether such expenditure was not too great a contribution to this class of mail. There were carried last year 663,107,128 pounds of second-class mail matter. If I am not mistaken in the estimate made as to the cost per pound of carrying the mail, this actually cost the Government \$14,588,356, and it received in postage on account of it \$6,186,647.54; on this estimate, a loss of a little over \$8,000,000 for this transportation. In another portion of his address, in discussing the question of the reduction of pay on account of the great weight of the mail, he made this statement: "It is, therefore, an entirely accurate statement to make, that the railroad pay for a large part of the mail they carry is less than 1 cent per pound." If this statement be correct, and I have no doubt that it is, the Government received full compensation for a "large part," to use his language, of the second-class mail matter, because it paid 1 cent per pound.

If the estimate previously made of the reduction since 1900 per pound of mail in transit is correct, if the second-class mail of 1905 had been taken from the mails there would have been the same cost for its transportation as in 1897. This difference would amount to several million dollars and would fully compensate for the difference between the actual payment for the second-class matter and the amount which would have been received if it had paid its full share of railway pay.

I am not much in sympathy with the attack that is made on the second-class mail. Department officers have for years called attention to what they believe is an abuse. This has become somewhat chronic with them. That there are abuses in this branch of the service I have no doubt. It is true that under the guise of a newspaper or magazine many advertising agencies find access to the people with this cheap postage rate. The existing law may not be enforced as rigidly as it should be, in some directions, so as to exclude the great advertising journals; but in this world with nearly every good there is an attendant evil, and while wrongs may creep into the use of second-class mail it is, after all, the most important part of the mail carried so far as general intelligence is concerned.

The greatest civilizing agencies in America, in my judgment, are sent as second-class mail matter. The grandeur and greatness of this Republic, so dear to all our hearts, is due more to that which is carried as second-class mail than to any other agency. This Republic sprang into existence as "the Joshua that commanded the sun and moon to stand still," as expressed by Benjamin Franklin. The independence and intelligence of its citizenship has been its crowning virtue. If its prowess depended on great navies and frowning fortresses, it would stand fifth in the race for preferment. If marshaled hosts and standing armies were the measure of its greatness, then it would sink into insignificance compared with the nations of the world. If ancestral blood and pampered aristocracy are to be the criterion which determine recognition, then Americans must stand aside and allow the royal pageants to pass. But if individual worth and respectability are determining factors, then our Government stands at the head of the column of achievement. This Government is what it is largely because of the public press and the cross-road schoolhouse. To-day the county newspaper circulates free of postage in the county of its publication at an expense to the Government of over \$1,000,000. If you had the writing of the law to-day, would you demand postage for this literature?

This is the purest and cleanest of public journalism. It is the channel through which the masses are directly reached. It is the thermometer of public thought, the source of intelligence and information, the medium through which the home is reached and the knowledge of local affairs made known. It deserves this recognition and indorsement of its excellent work. It is a business with little of financial profit, engaged in by moral, patriotic, and exemplary men, free from graft and the demoralizing tendencies of the time. The country commends the law which permits the circulation of these papers free of postage in the counties of publication.

Would you in anywise discourage the great daily newspapers by additional postage burdens, that intelligence which finds its way to every village and hamlet, and, since the institution of rural delivery service, into the homes of many of the farmers of the land? These papers may carry too many advertisements, some may go too far in scandal, vilification and abuse, but these mighty engines of influence have the advantage of the mails at the second-class rate and pay only 1 cent a pound postage. Has the Government acted unwisely in fixing this law? Should this body discourage by any act the dissemination of such information? The laborer as he wends his way to his place of business in the city can for a single cent put himself in touch with the doings of the world. As he returns in the evening for another penny he can take to his home the daily paper for his family to read. The farmer now in most localities when he sits with his family around the evening fire can read the same daily paper and inform himself of the doings and thoughts of the world. Would you place any barrier between the publisher and the reader of these great papers by adding additional postage, whether the postal rate is a source of revenue or a means of expense to the Government?

The hated magazine and the great national weekly press, about which we have heard so much in condemnation because of their failure to bear their part of the postal burden, mean much to the reading public. They give to them the deliberate and thoughtful judgment of great students on the issues affecting mankind. Who would take from the second-class mail the *Youth's Companion*, the *Saturday Evening Post*, and kindred publications? Why should the *North American Review* or the *Cosmopolitan* and other great magazines be deprived of the quickest transit at the present rate? Why does there sit at either end of the Clerk's desk in this House of Representatives the representatives of great press agencies when the general public is excluded from our council? Why is it that a portion of the gallery is set apart for the press whose information circulates as second-class matter? Is it not because this body is concerned that the information which they send to the country should be sent with the utmost dispatch and reach the greatest possible number of homes? In my judgment no expenditure of the Government brings greater returns; no investment means so much in its relation to the home and schoolhouse; none has added more to the sum of individual knowledge, and no step backward should be taken in this contribution to the intelligence and enlightenment of the people.

Mr. MOON of Tennessee. Mr. Chairman, I yield to the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. Mr. Chairman and gentlemen of the committee, I do not often impose myself upon the patience of this body. Experience teaches me that the most effective work is done, not upon the floor of the House by the perpetual talkers, but by the quiet, earnest Members, who attend strictly to their committee work, and give their thought and time to such legislation as properly comes before the committees to which they are assigned.

This country is so big, its interests so varied and so large, that to be successful as a Representative, a Member must make himself a specialist in some particular branch of the service. The age demands high-class specialism, and the man who would make himself felt, either in the nation or as a representative of the people on the floor of this House, must know some one subject, and know it as a specialist.

Not being a member of this committee, I am not as familiar with the provisions of the bill under consideration, carrying as it does nearly \$200,000,000 of the people's money, as I am with the bill which has to do with the agricultural interests of the country, and which comes from the committee of which I am a member. Therefore I shall address myself only to that feature of the bill with which I am somewhat familiar on account of the fact that it has to do directly with matters of everyday interest to my district, and in which I have a deep concern.

I wish briefly as possible to discuss the policy of the present Administration with respect to the rural delivery service. Rural delivery was begun as an experiment about ten years ago, Congress appropriating a small sum for that purpose. The Postmaster-General at that time did not think the experiment

would prove successful, and for several years the small appropriation given by Congress was not used—the Postmaster-General refusing point-blank to expend this appropriation, giving as his reason for such refusal that he regarded it as an absolute waste of the public money. The friends of the service, however, were not to be put aside from their purpose by the hostile attitude of the Post-Office Department. On the contrary, from year to year the appropriation for rural delivery was increased, and when the Department found that Congress was in earnest about having a fair experiment made, the money was put to the uses for which it was appropriated and our great system of rural delivery was begun.

No branch of the Government has grown so rapidly as this. Starting with an appropriation of \$40,000 ten years ago, the appropriation for rural delivery in this bill calls for an expenditure of \$28,000,000. There will be in operation by the end of this fiscal year more than 35,000 rural delivery routes, employing about that many people as carriers. The rural districts are rapidly becoming net-worked with postal routes, and the countryman is each day being brought in closer and closer contact with the busy activities of the world. Gentlemen in this debate have referred to this service as a luxury; I agree to that proposition; it is a luxury, but it is more than that—it is a benefit—the greatest benefit to the greatest number of people that the Government has ever undertaken to confer. It is more than a benefit even; it is an undertaking upon the part of the Government to concede to the great agricultural interest of the country a right which has been denied it since the time when the several States joined together for a more perfect Union. It is an evidence of the fact that the representatives of the American people have at last reached a point where they are willing to do exact justice to all classes of the country. It is the doing of a tardy justice to that class which contributes more than any other to the nation's wealth and glory.

The wisdom of those who fought for rural delivery in its inception, their courage in standing up for it in the face of the cold-water policy of the Department, finds justification in the rich fruits it is now bearing. Rural delivery has enhanced from 20 to 50 per cent the value of the farmer's land, and brought him in daily touch with the markets of the world, affording him the advantage of their rapidly changing conditions from day to day. It has become a great university in which 36,000,000 of our people receive their daily lessons from the newspapers and magazines of the country. It is the schoolhouse of the American farmer, and is without a doubt one of the most potent educational factors of the time.

Mr. Chairman, I regret to be forced to believe that the policy of the Post-Office Department at this time is unfriendly, if not actually hostile, if not to a continued existence of the service, then, at least, to a legitimate and reasonable extension of it. My experience with officials in charge of this service leads me to the conclusion that the Department has adopted a policy of repression, if not retrogression, with respect to it.

The regulations of the Department touching the inauguration of new service, I assert, are calculated to bring about delay and to stand between the expressed wishes of the people and the right which they deserve to expect from the Government. The present Postmaster-General evidently has thought it incumbent upon him to call a halt upon the rapidity of the growth of the service, and his policy is doing this most effectively.

Let us illustrate by example the miserable policy of delay now pursued by the Post-Office Department. A community wishes rural delivery. Some enterprising citizen writes his Congressman to that effect and at once a blank petition prepared by the Department is returned. It is necessary that this petition be signed, if the route is of the maximum length of 24 miles, by at least 100 persons. The petition is then returned to a Senator or Congressman, whose favorable indorsement is required as a condition precedent to consideration by the Department. There can be no complaint as to this rule. It is reasonable, as expressive of the will of the people by their chosen Representative, and, in addition, tends to expedition in the inauguration of the service.

Under the old rule of the Department the petition was at once referred to one of its field agents with instructions that the feasibility of the service be investigated as soon as possible.

Under the present policy of repression, however, the officials in charge, acting presumably under orders from the Postmaster-General, take this petition and go over it name by name, and I do not know but that they employ a handwriting expert, and if it is found that the petition is in the handwriting of only one person, then it is returned to the postmaster at the point from which the service is petitioned, with the demand that the petition be returned signed in the handwriting of the petitioners. I do not know what was in the mind of the Depart-

ment when this new rule was adopted, but I do know that it convicts the Department of one of two things—either a purpose to delay the inauguration of the service as much as possible, for the going of this petition back and forth between the Department and petitioners requires from two to three weeks of time, or it convicts the Department of adopting a policy which is without sense or reason. Those of us who are familiar with country life can well understand how natural it is for the farmer, who may be in the field, or whose hands are soiled from the work being done, to ask the person in charge of the petition to sign for him. This is natural, and if the Department had any appreciation or understanding of country life, it would know this and abandon this new regulation. But, in my humble judgment, the Department does understand the American farmer, knows all about him, and the rule is adopted, not because of a lack of understanding in this respect, but for the sole purpose of causing delay and retarding and holding back the inauguration of the service where it has been petitioned for, on the grounds of mere departmental technicality. Now, then, when these handwriting experts have been satisfied that the petition is genuine, it is then referred to another branch of the Department, and from there it goes to a special agent in the field. In the meantime, when the petition is going this sinuous course, and butting through these walls of obstruction and delay, two and sometimes three months have gone by and the petitioners must patiently wait.

After the departmental critics can discover no further flaws in the petition, the special agent takes it in hand and the territory to be investigated will be reached by him perhaps within six weeks or two months. The special agent, who is usually a most intelligent and conscientious and liberal man, goes over the ground carefully, examines the local conditions, inquires into the particular need for the service, talks with the people along the proposed route, and thereby gets the correct point of view from which to decide as to the feasibility of the service, its necessity, and whether or not the people will patronize it. In his report to the Department he fully covers all these points, so that there can be no reason for any lack of information by officials of the Department. By the time the agent gets the petition and has made this report not less than four months, and sometimes six, have elapsed since it was properly signed by the people interested and sent to the Department through their Representative.

The petition is again in the Department with the favorable report of the Department's own agent, who knows the local situation and the necessity for the service, and whose judgment is usually reliable. The cause for complaint now begins. The petition has reached the hands of the red-tapists—the fellow who either knows nothing of rural conditions, or cares nothing about them, the official who can see no special reason for facilitating consideration, but is willing to allow the petition and the report of the agent to lie in the office to become covered with dust and cobwebs, while the taxpayer, the citizen, is patiently waiting for the service which belongs to him as a matter of justice and right. After the petition has soaked for several months in the Department or is groping about in the mystic maze of its divisions and bureaus, the officials, paid by the money of the people and presumed to be interested in the work of expediting the business of the people, begin to bestir themselves. They move with a slowness, it is true, which can only serve the purpose of holding out the hope to the anxious people that there is still left in this ponderous machine a small spark of vitality. If a Member of Congress is sufficiently energetic to go to the Department six times a week, he may be able, by prodding and begging and cajoling, to hasten somewhat the movements of this machine. I warn gentlemen not to make the mistake of expecting any results by mere letters written in behalf of petitioners. These will avail nothing. You must see these people and help them solve the great mystery of doing the simplest thing on earth. A letter brings nothing in return save a stereotyped answer to the effect that "the matter will be given consideration in the due course of time."

The report of the agent is gone over carefully, critically, deliberately, and painfully slow, and if the eye of the Department detects a single technical flaw in the report, the petition is again referred to the agent in the field for what the Department calls "a supplemental report." The whole process must be gone through with again, and to get a supplemental report requires as much time as to get an original one, and it frequently happens that many months are wasted, and the inauguration of the service, to that extent, delayed because of some red-tape objection raised against the report of the agent. I have known it to happen that one petition has had to run the gantlet of four investigations by the field agent before the departmental critics were satisfied that no further reason for delay could be

found. If no supplemental report is necessary, the recommendations of the agent are considered by the officials of the Department, and after they have concluded that no valid reason exists for their not taking the next step in the process, the postmaster at the initial point of the proposed route is called upon for a certificate as to the number of people who will signify their willingness to patronize it. If upon the return of this certificate—and this, of course, takes time and is a needless delay—it is shown that three-fourths of the entire number of families are willing to patronize the route, the petition receives the departmental O. K. The postmaster is notified that the route will be established, and the Civil Service Commission is called upon to hold an examination for a carrier.

The civil service performs its part in complicating this already complicated web with reasonable expedition. It usually takes not less than six weeks to hold this examination and appoint a carrier.

It is hardly necessary to argue that this machinery is complicated, cumbersome, and calculated to give rise to unnecessary delay in the inauguration of service. From the date of filing the petition to the date of inauguration of the service most usually takes twelve months, and I have a case in my own district in which it took the Department almost that length of time, after receipt of the favorable report of the agent, to get everything in readiness for the inauguration of the service. In the meantime the farmer, whose mail is as important to him as the mail of a Wall street banker or stock gambler, who gets a delivery from nine to twelve times a day, is denied the blessings of this service in order that the unwarranted obstacles of a picayunish policy may be met and overcome.

Mr. Chairman, I assert without fear of contradiction, that no man who has ever followed a petition through this departmental labyrinth can honestly say that he believes the service is being conducted with a view of expedition, and with a sincere purpose of expanding the service so that everyone, everywhere, may receive its benefits in the shortest possible time. You are forced to the conclusion that this whole Department is honeycombed with red tape, delay, and a lack of business method that is exasperating in the extreme, both to the people and to one who represents a district and is anxious to serve it in a businesslike manner.

This rule of requiring three-fourths of the patrons to certify their willingness to patronize the route as a condition precedent to its establishment is a new rule and in line with the present policy of repression in the administration of this service. It is the offspring of the present administration of this great Department, which touches more people and is more intimately associated with and interwoven into the social and economic life of the nation than any other Department of the Government.

Under the former administration of this service it was left to the discretion of the special agent, who went over the territory, saw the people and the houses they live in and the manner of their living, and could best judge of their circumstances and the appreciation they would likely have of rural service, to say whether or not the route would receive that reasonable patronage which would warrant its establishment. The discretion, as was wise and sensible, was lodged in the man whose personal observation entitled his judgment to be binding upon those in the Department, who had no personal knowledge of the actual conditions. The final decision, of course, was reserved for the Department, but that was usually in accord with the recommendations of the agent. Under the new régime the agent has become a mere figurehead, whose reports have become the victims of departmental technicality. The man to whom we pay from fourteen to sixteen hundred dollars a year, in order that we may have his judgment as to the appreciation the people will have for rural service, among other things, is almost entirely ignored upon this point. That he makes a favorable report upon a petition at all ought to be sufficient evidence to the Department that all the requirements have been met and that the necessity exists for the immediate inauguration of service. The agent is the man who knows, and his judgment ought not to be set aside, except when it appears on the face of the report that he is clearly wrong. This new rule concentrates all the authority in respect to this service in the Department, and these men, who can have no idea of the necessity of the service and the conditions which would warrant it in any particular case, are permitted to override the judgment and hamper the efficiency of the agent in extending service. The result is delay, exasperating and unwarranted.

It can not be argued that this three-fourths-certificate rule was promulgated for the purpose of increasing the patronage of rural service, for the administration of it proves the contrary. The rule is enforced with an exactness that would do

justice to a Shylock. The Department invariably demands its pound, and I have actually in my own experience had it to happen that a certificate was returned to the postmaster for additional names, when only two names more were necessary to bring it within the rule. A delay of three or four weeks was occasioned and the people denied the privilege of the service for that time because of this illiberal and narrow construction of the rule. But what does the Department care about delay! It is not interested in the extension of the service, if we are to judge by its action; it exists for the purpose of retarding the extension of service. No other class of people on earth would stand for this, except the patient American farmer, and no other Department of the Government would dare to perpetrate this senseless interpretation of a clearly senseless rule. Why should fifty substantial, intelligent American citizens, with every right belonging to American citizens, with every right belonging to taxpayers—willing contributors to the national burden—with every right to this service, have it withheld from them because, perchance, twenty-five other men on the proposed route do not certify their willingness at the time to patronize it? Why should seventy-three citizens be denied the blessings of a daily mail because, perchance, only two people on the proposed route refuse to enter into a binding contract with the Federal Government to patronize a service which at the time they know nothing about? Yet it frequently happens that this is the case, according to the strict interpretation of this rule. The truth is there is no sense and less justice in it; and I firmly believe it was conceived in the general purpose to delay the inauguration of rural service, to hamper its establishment with hard conditions, and to withhold its legitimate extension wherever it is possible to do so by mere technical rules. The Congress which appropriates the money for this service and is representative of the will of the people did not intend, and does not intend, I hope, that it shall be surrounded with a wall of red tape and unreasonable rules in order that the people may be kept from its benefit.

Personally I have no quarrel with the Department. I think they give me the same consideration they give other Representatives. For the gentlemen in charge of this service I have the highest personal regard. They are courteous, agreeable, and always willing to accord such help and information as they can give. The special agents of the Department are particularly clever gentlemen, and their reports are usually fair and just, and give evidence of an earnest desire to discharge their full duty conscientiously and with a due regard for both the interests of the people and the service. The gist of my complaint is against the system and whoever is responsible for it.

The place of delay in the inauguration of this service is here in the Department itself. The injustice done the people is committed after the petition leaves the hands of the agent and reaches the Department, where it must go through the slow grinding mill of red-tapism. The discretion lodged in the Department is too great, their power is too unlimited. That they should abuse it is not unnatural; that they should mistake their own character and imagine themselves masters rather than servants of the people is not surprising. Wherever in all history there has been lodged great power there has always been found more or less abuse of it.

This idea suggests that we, as representatives of the people, charged with the high duty of legislating in the interests of the people, are not without fault in contributing to the abuses which have grown up in the Department by our failure to enact general legislation to govern the service. By our failure to act we have thrown the burden of administering this great service into the hands of the Department without a single suggestion as to how the enormous sum we each year appropriate shall be used. We have said to the Department, in effect, "Here are \$28,000,000; use it as seems wisest to you, only use it for the benefit of the rural delivery service." It was my earnest hope that the Committee on Post-Offices and Post-Roads would bring to the attention of the House and for its consideration some comprehensive plan looking to the better organization and administration of this service. Congress must act in this matter sooner or later, and the sooner the better. We can not much longer justify our inaction. The responsibility is upon us of saying in what manner the people's money shall be spent. We can not longer shirk the duty we owe in this respect.

But, Mr. Chairman, to return to the policy of the Department, let me say that it is evident that they are not satisfied with making hard conditions precedent for the establishment of rural service, but they have adopted a plan for the future, according to the report of the Postmaster-General, which will mean the discontinuance of thousands of rural delivery routes now in operation, especially in the South, where the patronage of rural service is not as large as that given it in some other sections of

the country. The Postmaster-General, in his report, page 93, announces the policy of the Department in this language:

The discontinuance without delay of any route where it is found on inspection that because of a lack of appreciation of the service the expenditure involved is unwarranted.

Again, he says:

The substitution of every-other-day service where the patronage is not sufficient to warrant daily service, thereby discontinuing the employment of a carrier.

This announcement of the Postmaster-General's policy for the future gave rise to a perfect furor of alarm throughout the country. The people and the press voiced their disapproval in no uncertain language, and Members of Congress were deluged with protests and inquiries. Everybody, with the solitary exception of the Post-Office Department, saw the unreasonableness and injustice of such a course.

Anxious to know what interpretation the officials in immediate charge of this service would put upon the announcement of the Postmaster-General, I wrote to the Fourth Assistant Postmaster-General in January and received this letter in reply, and for the information of the House I shall read it in full, as it touches the points involved:

POST-OFFICE DEPARTMENT,
FOURTH ASSISTANT POSTMASTER-GENERAL,
DIVISION OF RURAL FREE DELIVERY,
Washington, January 22, 1906.

Hon. A. F. LEVER,
House of Representatives.

SIR: I have your letter of the 13th instant, in which you state it is generally understood that there is in progress an inspection of rural delivery routes with a view to discontinuing or reducing to triweekly service such of them as show little patronage, and asking to be advised as to the policy of the Department in this regard.

In reply you are advised that the inspection of the service which has been instituted is with a view to ascertaining the cause for any adverse conditions which may exist and the possibility of removing such conditions. On discovering that there is a lack of patronage on a given route consideration is given, first, to the possibility of increasing the interest in the service on the route; second, to the possibility of rearranging the route so as to increase the patronage; third, to the possibility of establishing every-other-day service in lieu of daily service, and, last, to its discontinuance where the conditions are such that the expenditure involved in the operation of the route is unwarranted.

In this connection attention is respectfully invited to the report of the Postmaster-General for the fiscal year ended June 30, 1905, a copy of which is forwarded to you under separate cover, page 93. While no fixed rule as to the amount of mail which should be handled on a rural route has been adopted, still the Department feels that the average rural route should handle 3,000 pieces of mail per month, with a possible minimum of 2,000, but the question of the discontinuance of the service on routes must in all cases depend upon the conditions as they exist on such routes, and the expenditure involved in operating the service on a given route might not be deemed warranted, even though the minimum of 2,000 pieces of mail per month were handled, where it was found that a considerable number of the possible patrons were not availing themselves of the benefits of the service.

As to your inquiry relative to the section of the country which shows the least patronage of rural delivery, I have to say that the Department is not in possession of data as to the number of families patronizing all routes. The average amount of mail handled per route is not an absolute indication as to whether there is a lack of patronage, as a given number of people on one route may take more mail than the same number on another route.

The States included among those handling less than an average of 3,000 pieces of mail per route per month are Indian Territory, 2,806; Kentucky, 2,785; Florida, 2,515; Tennessee, 2,497; Louisiana, 2,411; South Carolina, 2,407; Oklahoma, 2,394; Texas, 2,383; District of Columbia, 2,370; Georgia, 2,147; Arkansas, 2,067; Virginia, 2,015; Alabama, 1,989; North Carolina, 1,909; Mississippi, 1,758.

Very respectfully,

P. V. DE GRAW,
Fourth Assistant Postmaster-General.

This is a most interesting document and discloses a policy which must alarm every friend of rural delivery. You will notice that the Department intends through a rigid inspection of the service to ascertain if the appreciation of it is such as to warrant the expenditure necessary for its continuance. They set up an indefinite standard by which the appreciation of the service is to be measured, and this standard is predicated upon the idea that the appreciation of the service must be shown in the patronage of it, as shown by the number of pieces of mail handled, and this, in the last analysis, means the measure of appreciation in the amount of cancellation. A money-value is to be put upon appreciation. I wish to call attention to the fact that the Post-Office Department has never been run with a view to making money. It exists because it is the function of the Government to supply its people with adequate mail facilities; and only once or twice in its history has it failed to show a deficit of receipts over expenditures. The Department was established for the purpose of making the social intercourse between the people of the country inexpensive and easy, for promoting commerce, and for the general welfare, education, and convenience of the people. The idea of making the service self-sustaining has never entered the brain of any Administration save this one. Deficits running in amounts from \$3,000,000 to \$14,000,000 per annum have not alarmed the people, and have occasioned no special complaint. It seems to me that

if reforms are necessary in the Post-Office Department, and I have no doubt of that, the Administration could find some other service than this to begin with. If I had the time, I think I could call their attention to some abuses which might engage them for at least a short while. No one expects that rural delivery will become self-sustaining in a short decade. It is a new service, and its growth must be gradual. It is absurd for the Department to promulgate a rule that a route must be discontinued, where it does not appear that it is handling from 2,000 to 3,000 pieces of mail per month. A strict enforcement of such a rule would practically discontinue all of the routes recently put in in the South. No new service is at once patronized generally. The patronage increases from day to day as the service becomes more and more appreciated, and as the people become more and more satisfied that the service is to be permanent. When route No. 1 at Columbia, in my district, was established there was but one newspaper delivered along its whole length. The people had not come to appreciate the service. After it had been in operation for some little time, however, the mail handled began to increase, and during the quarter ending December 31 last, the carrier on this same route delivered 4,921 newspapers, aside from the other mail. If the Department, when this service was put into operation, had been enforcing this new rule, this route would have been discontinued. I believe the day will come when rural delivery will be self-sustaining, for as the people become more educated, and as newspapers and magazines become to them more of a necessity, they will more and more use the facilities which the Government has put at their doors.

I deny to the Department the right to set a standard of appreciation of this service. I deny it the right of exercising a discretion in a matter about which it can know nothing. How can the Department know what value you or I put upon a letter or a newspaper? It may be that we do not get but one letter a week, but that letter may mean a great deal to us. How can the Department know otherwise? The poor widow living on a rural route, whose boy is at college or in a distant city tolling for his support and hers, may not write many letters and may not receive many, but can it be said that she does not appreciate those she gets from that boy as much or more than does the Wall street broker, whose letters are counted in hundreds? You can not measure the appreciation of this service by the amount of mail handled nor by the cancellation. The power should not be lodged in the Department to say to the people, "You do not appreciate what we are giving you, and therefore we will take it away." The Department must understand that it is not giving to these people anything, for the money which goes to the support of this service comes from the people, and they have a right to expect that some of it, at least, be returned to them.

But, Mr. Chairman, this letter discloses another fact to which I wish to direct the attention of the House. I quote: "While no fixed rule as to the amount of mail which should be handled on a rural route has been adopted," and then the Fourth Assistant states what he conceives to be a reasonable average for each route, and then goes on to couple with his first statement the following: "Where it was found that a considerable number of the possible patrons not availing themselves of the benefit of the service," the route would be considered with a view to its discontinuance. In other words, a route may handle 3,000 pieces of mail per month, and yet if this amount is not sufficiently large to meet the expectations of the Department the service, in the discretion of the Department, can be discontinued. A more indefinite and uncertain rule could not be found. It lodges in the discretion of the Department the right to set up a standard of possible patronage which may be the guide in your community, while a different standard would be the guide in another section. The rule is absolutely unreasonable, and it permits the Department a power of discrimination which can be used to the great injustice of certain sections of the country. This rule does not take into consideration the fact that there may be a possible patronage of 100 people to a route, but for some reason only twenty-five are patronizing it, but these may be taking daily newspapers and the great magazines of the country; their homes may be model homes, and their children in college. The Department, in its discretion, has the right to discontinue the service to these twenty-five people, who are proving themselves worthy of every consideration, because the route does not show the largest possible patronage. Who will say that such an act would not work an injustice? Who will deny such a discretion as this ought not to be lodged in any bureau chief?

This letter announces another rule to the effect that the Department, in its discretion, may reduce the service from daily to triweekly. This is in violation of the fundamental idea of

this service. The whole system of rural delivery contemplates that the American farmer shall have his mail delivered at his door at least once a day. It was the intention of the fathers of this system that a daily mail should go to the man living in the rural districts, and it was not in the mind of Congress, when these appropriations had been made from time to time, that they should be used for the purpose of inaugurating tri-weekly service. Here we have another instance of an abuse of power by a great Department of the Government, and gives another evidence of the necessity for legislation on that subject.

Mr. Chairman, this letter of the Fourth Assistant Postmaster-General shows another thing to which I wish to call the attention of the House. In writing General De Graw, I asked him to furnish me the names of the States in which there seemed to be the least appreciation of rural service as shown by the amount of patronage. I confess that I was not surprised, for I suspected that the state of facts as shown by the Fourth Assistant's letter was perhaps the reason for the rule, when I found him writing that "the States included among those handling less than 3,000 pieces of mail per route per month are Indian Territory, Kentucky, Florida, Tennessee, Louisiana, South Carolina, Oklahoma, Texas, District of Columbia, Georgia, Arkansas, Virginia, Alabama, North Carolina, Mississippi." Thus we see that the solid Democratic South falls within this arbitrary and suspicious rule of the Department. Not a single State among those mentioned in this letter is above the historic line of Mason and Dixon, and I feel that I am justified in the suspicion that this new regulation was adopted for the purpose of perpetuating the policy of discrimination against the South, which has been pursued by the Department since the beginning of this service. I am not building straw men for the purpose of knocking them down, but the records of the Department will bear me out in the statement that this service has been administered in a sectional and partisan manner. And let me say in this connection, Mr. Chairman, that but for the zeal and energy of Southern Representatives in Congress rural delivery would not to-day be in existence. It was a southern man who first proposed it to the Congress and southern men have been its most zealous friends and advocates.

Some years ago I undertook in an argument in the House to show that even then a policy of discrimination against the South had been adopted by the Post-Office Department. I think the fact was demonstrated by the records of the Department, beyond the shadow of a doubt. There has been no change in the attitude of the Department toward the South since that time. The records of the Department will show to-day that 50 per cent of adverse reports upon rural delivery petitions come from the South, while 10 per cent will cover the adverse reports from other sections of the country. The number of routes in operation in Southern States are 50 per cent less than the number in operation in Northern and Western States of equal population and density of population. In the twelve so-called Southern States, with a population of 21,713,000, in round numbers, there were in operation on January 2, 1906, 8,695 routes, while in the four States of Illinois, Indiana, Iowa, and Kansas, with a population of 11,038,000, in round numbers, there were in operation, on the same date, 8,510. These four States, with only half the population, have as many routes in operation as all of the Southern States combined. In the South there is a rural route in operation for every 2,500 of its population, while in the four States mentioned there is a route in operation for every 1,400 of population. The State of Kansas, as rock-ribbed and everlasting in her republicanism as South Carolina is in her democracy, and with a population of only 130,000 more than South Carolina, had in operation 1,555 routes, as against 532 for South Carolina—a difference of over a thousand routes in favor of Republican Kansas. In South Carolina there is only one rural route for every 2,500 of population, while the unit of population for rural service in Kansas is only 950, and the density of population of South Carolina is greater, by far, than that of Kansas. Republican Oklahoma, with a population of only 398,000, has in operation 594 routes—62 routes more than in my own State, with a population four times as great. These comparisons could be carried out ad infinitum and each one would demonstrate the fact that the service has been administered in a partisan and sectional manner that is disgraceful to any government.

This new rule of the Department setting a standard for the number of pieces of mail to be handled on a route is calculated—I fear deliberately intended—to continue this policy of sectional and partisan administration of the service.

Mr. Chairman, I ask for my section nothing more and nothing less than common justice—the application of the much-vaunted

"square-deal" principle. We are in the Union; we are here to stay. Your flag is our flag; your country is our country. To its welfare we owe our contributions, and we give them; to its defense we owe our lives, and we have given them. And it does seem to me that the day has come when we should cease to pay the penalty for having had the courage to fight for our conception of right and in defense of a principle which has successfully met every adversary, save that of force alone. [Loud applause.]

Mr. MOON of Tennessee. Mr. Chairman, I yield fifty minutes to the gentleman from South Carolina [Mr. FINLEY].

[Mr. FINLEY addressed the committee. See Appendix.]

The CHAIRMAN. The gentleman from Indiana [Mr. OVERSTREET] and the gentleman from Tennessee not desiring to use any further time, the Clerk will proceed with the reading of the bill.

The Clerk, proceeding with the reading of the bill, read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated for the service of the Post-Office Department, in conformity with the act of July 2, 1836, as follows:

OFFICE OF THE POSTMASTER-GENERAL.

Mr. SULZER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. SULZER. Mr. Chairman, some time ago—to be accurate, on December 13, 1905—I introduced in this House a resolution calling on the Secretary of State for all letters, dispatches, documents, correspondence, papers, and information between this Government and Austria-Hungary in the case of Marcus Braun, a special immigration inspector of the United States, who was arrested at the instigation of the Austro-Hungarian Government in Budapest, in the month of May, 1905, while in the performance of his official duties in that country. That arrest was unwarranted and unjustifiable, and the Austro-Hungarian Government subsequently apologized for the arrest and reprimanded its officials who caused it.

The resolution, sir, I introduced passed the House unanimously, went to the Secretary of State, and in response thereto that official forwarded to the Congress what purported to be all the papers and documents in this case; but I am reliably informed that the most important document, a letter from Consul-General Chester, at Budapest, which gave his views of the case and set forth in detail all the facts in this matter, was withheld. Why that important letter, so far as Mr. Braun is concerned, was suppressed I do not know, and I do not intend at this time to talk about it. The other papers and documents in this matter have been printed and are on file. They are known as House Document No. 482, printed February 8, 1906. Mr. Braun has answered it specifically, and filed his answer in the State Department.

The facts in the case very briefly are as follows: On the afternoon of May 8, 1905, Marcus Braun, then a guest of the Hotel Hungaria, in the city of Budapest, Hungary, saw one of the State detectives of the Hungarian Government, by the name of Hugo Kalmar, taking out of the letter box of the hotel and reading Mr. Braun's personal and official letters. The detective was just in the act of reading a letter written from Dr. Frank Dyer Chester, United States consul-general at Budapest, to Mr. Braun, relating to emigration matters in Hungary, which Mr. Braun was at the time officially investigating on behalf of the United States Government.

Many weeks before, let me say, Mr. Braun had complained to the United States consul-general at Budapest, to the Hon. Bellamy Storer, United States ambassador at Vienna, and to the Commissioner-General of Immigration of the United States, Washington, that his mail, both official and private, was tampered with, but up to that time he was under the impression that the spoliation of his letters was caused by petty post-office officials, but when he caught Detective Kalmar red-handed in the act he had positive evidence that the unlawful opening of his mail was caused directly by the Austro-Hungarian Government.

Mr. Braun recognized in the person of this detective a man who for weeks prior to this incident had followed him on all the trips he was making in the capacity of United States immigrant inspector throughout that country, and when he caught this detective in the act of rifling his letters he gave expression to his indignation and denounced the act as outrageous, and immediately telegraphed to the United States ambassador at Vienna and to his superiors at Washington for protection.

The day following, namely, on the 9th day of May, Mr. Braun

was served with a summons to appear before the police captaincy of the fourth district of the city of Budapest, on May 10, to answer a charge of insulting a Hungarian official. Consul-General Chester went with Mr. Braun to the chief of police, Mr. Bela Rudnay, to demand an explanation, and he also called on the counselor of the ministry of interior, Dr. Alexander Selley, and at both places they practically admitted that Mr. Braun was under arrest, and considered by them as a private, and not an official person, for the purpose of detecting him in some offense against the Hungarian emigration law, and to make his further stay impossible in that country as an American inspector of immigration.

The evidence secured by Mr. Braun and Consul-General Chester showed conclusively that the reason for this action by the Hungarian Government was that Mr. Braun's official reports of 1904 had hurt the feelings of several prominent officials in the Adrea Steamship Company, which is a concern subsidized by the Hungarian Government, in which many of the highest officials of the Kingdom of Hungary are shareholders. At the beginning both the ministry of interior and the police department, including Detective Kalmar, denied the fact that they had opened Mr. Braun's mail or followed him around, but when they were confronted with the positive evidence in Mr. Braun's possession they made a brazen stand and said: "Well, we had a perfect right to do that. What are you going to do about it?"

By direct order of Prime Minister Tisza the police department issued official statements to the press against Mr. Braun impugning his character, and paid the expenses for printing and circulating a pamphlet, which was sold openly all over the Kingdom, containing all kinds of false charges against the honor and integrity of Mr. Braun.

Subsequently Mr. Braun was discharged, and the officials responsible for his arrest reprimanded by the Austro-Hungarian Government. These are briefly the facts in this case. However, among the papers sent to this House by the Secretary of State, in response to my resolution, is a letter from Mr. Storer, the then ambassador of the United States to Vienna, unjustly reflecting on Mr. Braun. In answer to this letter, and to its reply by the then Secretary of State, Mr. John Hay, and in answer to all the papers on file in the State Department, especially to those sent to the House of Representatives by the present Secretary of State and contained in House Document No. 482, Mr. Braun promptly filed his reply, and I shall ask the House, ere I conclude, for its permission to include this reply in the Record as part of my remarks. I believe a great injustice has been done Mr. Braun, and I think he is entitled to have his side of the case presented to the country in his own way and in his own words. To do less would be a denial of justice and a refusal to give him his day in court before the American people. This reply speaks for itself, and is Mr. Braun's defense and complete vindication.

Now, Mr. Chairman, I desire to say in regard to Mr. Braun that on account of the outrageous way he has been treated by certain officials of this Government, and on account of the fact that he could not get protection and vindication from those in authority, who should safeguard his rights as an official and as an American citizen, he has resigned from the office he held, and is no longer in the employ of the United States Government. It may also not be amiss to call to the attention of the Members of this House the fact that Mr. Bellamy Storer, the American ambassador to Austro-Hungary, has been summarily dismissed from the diplomatic service by the President of the United States.

Mr. Chairman, just a few words in conclusion. I want to say that Mr. Braun lives in my district, and has always been an intense and consistent Republican. But politics has nothing to do with this matter. While I am a Member of Congress I shall always do everything in my power to secure justice for my constituents and to vindicate the rights of every man, woman, and child that lives in my Congressional district, regardless of politics, race, or religion. I know Marcus Braun well, and I can testify that he is able, sincere, industrious, intelligent, and affable, and one of the most patriotic and loyal men in all the land. He is entitled to a "square deal," and I shall do all that I can to get it for him. He has been an honest and an efficient official of this Government for several years, and has won the esteem of his official superiors. He is a friend of President Roosevelt, who reposes in him the most implicit confidence. The charges filed against him secretly in the State Department by the Austro-Hungarian Government are absolutely false, and that Government knows the charges to be false. A great wrong and a great injustice has been done Mr. Braun, and he demands that all the papers in

this matter filed in the State Department be given the fullest publicity, so that the truth shall be known, and in order that an honest official and a worthy citizen may be vindicated in the eyes of every true American. [Applause.]

Mr. Chairman, I now ask unanimous consent that the letter of resignation and the reply of Mr. Braun to the documents the Secretary of State sent to the House may be printed as a part of my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

New York, March 10, 1906.

Hon. F. P. SARGENT,

Commissioner-General of Immigration,
Department of Commerce and Labor, Washington, D. C.

SIR: In the administration of justice the protection of innocence is as much the province of the law as is the punishment of crime; and in the administration of executive offices the appreciation of work performed is of as great, if not infinitely greater, importance as is the payment of the salary.

This appreciation of services faithfully and loyally rendered can not evidence itself in a more thorough manner than in identifying the labor of the servant as that of the master, and by giving the laborer the power and the authority of those for whom he is at work, and to extend to him, while at work, the broadest protection of those in authority.

One in the service of the United States must feel that he has the power of all the United States at his command, if need be, while faithfully performing his duty. The moment this protection is not at his command—that is to say, not at his disposition—from that moment his usefulness is perceptibly shaken. If such a man deemed himself in need of the protection of his Government, if he called for it and prayed for it, and it was denied him, still more glaringly does the usefulness of that man diminish until it arrives at nil. Then there remains but one manly course open—to retire from his work.

Sir, I am in that position. True, at one time I was told by you that I have performed good work and you did assure me "that some day the merits of my work would be recognized in proper manner," but that future appreciation of my work is of insignificant importance in comparison to my present position, when I am left helpless by the Department to which I appealed for protection against cowardly, brutal attacks upon my honor, and when, against my earnest and solemn protestations, it was allowed to go forth to the world as the last word and "the incident considered closed," that Braun was guilty "of highly improper conduct as an official of the United States engaged in a mission in Hungary," * * * and that his antecedents are not such as to require any further action * * * conclusions arrived at without my being heard, conclusions based on wickedly false and deliberately malicious and lying statements.

True, I did receive a certain vindication, but the very vindication accorded to me was a veiled injury. When I had heretofore resigned my position I was promptly reappointed; but it was only the salary that was given to me; the kind of work and the nature of the work I had been doing was not again intrusted to me, while the vindication due to me, as I think, should have carried with it the assignment to the very sphere of work I had been performing.

However, American officeholders do not, generally, hold office as a matter of idealism, nor do I, and I would have gladly yielded this point of change of assignment and would have been contented to fill my office, be it in Canada or Granada, New York or Budapest, had the assignment to any work, anywhere, been followed up by the examination of the charges, or, rather, innuendoes, upon which the coordinate branch of the Government acted in a manner to which I can not submit, unless indeed I wished to plead guilty to "improper conduct" or to "shady antecedents." No office to which I could be appointed vindicates me as long as those charges are not exposed to be malicious falsehoods, and I believe I have proven that by documents in possession of the Government.

I have petitioned, pleaded, and implored for a chance to be heard in my defense, but in vain. I was told that "the incident is closed," that I have been reappointed to my old office; that should suffice to make me feel that no further vindication is necessary.

Well, this is a question to which I can respond in but one way. Absolutely exonerating you, sir, from any and all responsibility, and extending to you my most heartfelt and grateful appreciation of your kindness to me, but in view of my earnest appeals for a hearing being disregarded by the Department of State, to which I had submitted them weeks ago, in view of my reappointment to an office, carried with it by an assignment entirely different from the kind to which I thought I was to have been appointed, surely different from the kind of work I had been doing, I pray to be allowed to tender, and I do now so tender, my resignation as immigrant inspector, my resignation to take effect on March 20, 1906, on the day of the expiration of the leave of absence I now enjoy.

Respectfully,

MARCUS BRAUN,
United States Immigrant Inspector.

Marcus Braun's answer filed in the Department of State, Washington, D. C.

78 SECOND AVENUE, NEW YORK CITY,
February 21, 1906.

Hon. ELIHU ROOT,

Secretary of State, Washington, D. C.

SIR: Document No. 482 of the first session, Fifty-ninth Congress, House of Representatives, entitled "Marcus Braun—Message from the President of the United States," has this day reached me.

The document closes with a letter of the late Secretary of State, John Hay, of glorious memory, addressed to Mr. Storer, our ambassador at the Court of the Hapsburgs, at Vienna, wherein the American statesman informs the ambassador that, inasmuch as it appears from the "correspondence that Braun was guilty of highly improper conduct as an official of the United States engaged in a mission in Hungary in openly attacking the Hungarian Government in the newspapers, and that his antecedents are not such as to require any further action than the proper assertion of the dignity of the United States, and inasmuch as Braun has been recalled and the offending petty officials have been reprimanded by the Imperial Government, the Department

does not feel that it is desirable to press the matter further with the Austro-Hungarian Government. For these reasons you may let the matter drop."

Our Mr. Storer has, in supplying the State Department with the information upon which the lamented late Secretary of State thought himself to be justified to close the incident in the manner in which he did, lent himself—I have no doubt that he did so unconsciously—to the commission of a most flagrant miscarriage of justice of which I have been the victim.

He had been misled by deceitful people; his ear had been filled with malicious slanders about me which he was led to accept as truths. He took it for granted that everything that came to him from Austro-Hungarian governmental sources was fact, and without examining them or any of them, he reported them to the home Government, and without any regard for the good old "audetur et altera pars," I am informed "the incident is closed."

The Department has closed the matter. But is it closed?

As a man of peace, weary and worn out by the unequal fight, a plain, unassuming man against a powerful government, against crafty government officials trying to save themselves, I would gladly have "let the dead past bury its dead."

I will show you, however, later on, that these people's nefarious practices are still at work, right now, here in New York.

The reports sent by Mr. Storer to the State Department are deliberately false and misleading.

He, Mr. Storer, may not know this. I admit it cheerfully, though. Oh, how I wish he had taken the time and the trouble systematically to examine into them!

His recommendation would have been written in another key. He would have laid bare the infamy of certain Hungarian government officials, and would have insisted, with all the dignity and power of this Republic, that the injury done me be atoned for adequately and punitive damages be exacted from them.

With scrupulous care I will abstain from embodying into this brief again but facts.

I will make no attempts to be eloquent, nor with pathetic appeals to arouse or attempt to arouse sympathy.

This would be—none know it better than myself—a useless and an unpardonable offense toward you, whom the American people have learned to honor and to respect as the just, fearless, and honest judge of men and character. However, I do appeal to you to look into "the case of Marcus Braun."

You must do so because you, the great jurist-statesman, can not give your tacit consent that there shall remain secretly confined in the archives of the State Department a bundle of papers—"a dossier"—which attacks the honor of an American citizen, or attempts to do so; by foul and fell innuendo casts a shadow of doubt upon the manner in which this American citizen has discharged a sworn duty; while this American citizen earnestly maintains that he can carry conviction to every fair-minded American that these attacks upon his honor are emanating from motives and sources impure and dishonest, and that the accusations against him are false as hell and known to be false to those who have had the daring to make them.

Yes, I want to show you that the accusations against me contained in that "dossier," only parts of which have been made public as a "public document of Congress," are deliberately and maliciously false. That the Government which makes them has made them in sheer despair to stop me in my work, which threatened the anyhow—from other causes—shaky Austrian and Hungarian Government with conviction of a gigantic fraud in the administration of its affairs of emigration; that that Government, which made these accusations against me, namely, that I had to be put under police surveillance; that I was looked upon with suspicion; that my past life was shady; that I had left my native country leaving unpaid debts behind me; that I had come into contact with the criminal law of the land—and what else these accusations might be—deliberately, maliciously, brutally, and cowardly told a set of falsehoods against me; and I shall never rest until you, sir, secure for me the triumphant vindication I deserve, and which I must have, unless I want to concede even the most remote possibility of there being even the barest trace of truth in these accusations.

I am fully aware of the weight of the burden I try to put upon your shoulders, but I also know your Americanism. That sublimely high sense of honor and duty which has characterized your life's work will never shrink doing what truth and justice dictate to you in this matter.

The fact that "the incident is closed" will not be a hindrance to you, because in affairs of honor and of truth and of nobility of character there are no statutes of limitation.

The fact that I am quasi rehabilitated by having been appointed to office again will not be reason for you to let bygones be bygones, because the wrong done has not been righted by reappointment.

The fact that an examination of the matter might cause embarrassment—here, there, somewhere; might even bring about the necessity of your telling a friendly foreign Government a piece of your mind and to preach to that Government a sermon upon the command of the decalogue, "Thou shalt not bear false witness"—can not be any reason for hesitancy on your part, because higher than all other considerations are the claims of an American citizen unjustly attacked in that which is dearest to him—his honor.

Nor am I afraid of the possible objection that might be raised known as "the rules of the Department," which stand in the way of a reconsideration or a rehearing of the case. I am not addressing myself to a man whom iron rules, stereotypic regulations, or bureaucratic methods could prevent from action where he thought action to be his duty.

I humbly pray, sir, not to be misunderstood. It is not pecuniary damage or public apology or something of that sort which I demand. I want your Department's thorough examination into every minute detail of the affair. I want your Department's final judgment to be issued, based on testimony and evidence, and not on scurrilous letters, "on dits," "we think," "anonymous communications," "we have been told," or "I am assured," even if this comes from so high an officer of the Government as an ambassador to that foreign Government.

Let me now proceed, sir, and I will show you a phase in the condition of affairs in public life of Austria and Hungary the darkness of which is all the more dense for me because by it I am made to suffer for my work faithfully performed, simply to punish me for having laid bare the corrupt practices obtaining in emigration matters in that country.

Unfortunately, a representative of our own Government has allowed himself to be hoodwinked by the wily politicians of Austria and Hungary, and the ambassador at Vienna, our own Mr. Storer, was made to do for that Government—unconsciously, as I have said before—the nefarious deed of "showing me up," and to heap abuse on me and to

put me into the most unenviable position imaginable, humiliating me, humbling me, and putting me on my defense.

I shall take up the report of our Mr. Storer seriatim, and I shall be satisfied to leave the result with you.

Before I do this, I must speak "in personam." The red line running through the entire affair is the accusation, by insinuation and directly made, that in 1892, when I left my native country, I did so under a cloud; that a criminal charge was pending against me; that the Hungarian Government felt justified in putting me under police surveillance.

It is incredible to suppose that people endowed with ordinary intelligence should be so awfully stupid as to find no better excuse in the attempt to justify a wrong done than this afterthought to attack my character, but yet the Budapest people do so. The awful stupidity lies in the fact of what they should have known—my ability to refute their accusations so thoroughly and so convincingly that there remains no other conclusion to come to than that not only are the accusations made against me false and untrue, but that the people making them knew them to be so at the time they made them.

If in 1892 I left my native country under a cloud, why was I not under police surveillance when I first visited Hungary (I visited Hungary after having been in the United States only about twenty months), and why not on the occasions of my other numerous visits, and why did they appoint me to represent them in some important matter in the United States (as hereinafter specified)? Why did they grant me my discharge from the Magyar citizenship? Why did ministers of the Kingdom honor me, thanking me for services performed by me for their nation? Why did prime minister and ministers of the dual monarchy receive me officially and at private hearings? Why should I have become the target for their persecution only after I have in the honest discharge of my duty "showed them up," refused to be bribed into silence or into connivance at or participation in their doings, which I found to be contrary to the requirements of our own laws?

But pray pardon me, I will proceed chronologically. I was born in 1865, in Hungary, and in the year 1887 I was drafted into military service. I left the military service May 2, 1890, having completed the actual service and been placed in the reserve.

I immediately left Budapest and went to Munich, Bavaria, where I remained until October of the same year. From Munich I went to Paris, making stops of a few weeks at the cities of Stuttgart, Karlsruhe, and Strassburg. In Paris I remained until December, 1891, but made frequent trips from there to various parts of Europe in my capacity as a travelers' guide. My last trip as such guide I made in December, 1891, from Paris to Roumania with an Australian family, and having earned a comparatively large amount of money, I decided to emigrate to the United States. I returned to Budapest the first week of February, 1892, made application to the civil and military authorities for permission to leave, and on May 9 started on my journey, duly equipped with the necessary passport and permission entered in my military book from the proper authority. I stopped a few days in Vienna, then in Berlin, and subsequently, on June 12, sailed from Rotterdam on the S. S. *Maasdam* bound for New York, arriving at this port June 22, 1892. Within two or three weeks after my arrival I duly reported to the Austro-Hungarian consulate-general of New York, as prescribed by the rules and regulations, and this also was entered in my military book.

In New York I began work as a canvasser for a picture and frame concern, but already in the fall of that year I had become the reporter of the Oesterr. Ung. Zeitung, a German newspaper dedicated to the interests of the Austro-Hungarians in the United States. I also became connected with the German Herold, then, as now, one of the leading German daily newspapers of the city of New York, and with this latter newspaper I was connected as a reporter when, in April, 1893, that newspaper sent me to the Chicago World's Fair as its special representative.

In Chicago, at the World's Fair, I, in addition to my work as newspaper man, became connected with the establishment known as "Old Vienna," a semi-official Austrian governmental exhibition or institution, being appointed as the press agent thereof.

In the course of my duty I became aware of dishonest practices on the part of the Austro-Hungarian commissioner-general, one Dr. Anton von Pallitschek, who was also consul-general of Austria and Hungary at New York City. It may not belong here to speak of this case, but it will be interesting enough to state here that, single handed and against the most powerful influences, I succeeded in forcing the Austrian Government to recall the man and to put him on trial for the malfeasance and misfeasance of office I charged him with and to secure his conviction.

I mention now another incident which shows how fully aware were the Magyar governmental authorities of my whereabouts and of my doings, so that if it had been true that when I left Hungary a criminal charge was pending against me I could have been apprehended, or if the criminal charge did not fall within the provisions of the treaty of extradition my passport could have been, as by law it should have been, refused to me.

The incident is this: On my arrival at Chicago one day—I had come and gone frequently from and to New York—I gave my handbag to Parmelee's express to carry to my hotel. In that bag there was, among other things, my passport and my military identification booklet indorsed by the Austro-Hungarian consulate. The express company lost my handbag, and I lost my papers. At my first visit to Budapest, in April, 1894, I reported my loss to the proper authorities having charge of the passport bureau and of the military affairs, and some months later I received a duplicate passport and a duplicate military identification booklet, the same being given to me by the consul-general of Austria-Hungary in New York, through whom the Hungarian authorities had forwarded it.

As stated above, in April, 1894, I visited Hungary. It was my first visit to my native land. I had become acquainted with Mr. E. P. T. Hammond, United States consul at Budapest, and he was good enough to introduce me to the then prime minister of Hungary, Mr. Alexander Wekerle.

I secured a release from participation in the military maneuvers of that year, and this permission to be absent from that service was duly entered in my military booklet. The permission to be absent during the maneuvers of the year before I had obtained that year through the Austro-Hungarian consulate.

I remained in Budapest about five or six weeks. I visited public places, men of affairs, politicians, statesmen, journalists, and newspaper offices. There was never any suggestion of my "having left under a cloud," nor of a criminal charge, nor of any charge against me. I was not molested.

In July, 1894, I was back in New York. I appeared before the

naturalization bureau of the New York court of common pleas and asked to be given my "declaration of intention," known as the "first paper."

The clerk of the court wanted me to forswear my allegiance to "the Emperor of Austria." I refused, claiming that I owed no allegiance to the Emperor of Austria, but did owe allegiance to the King of Hungary, whose subject I was. The clerk refused to see any difference between an Austrian and a Hungarian subject, and I applied to the court for a mandamus.

The subject created an immense stir in Austro-Hungarian circles and journalism; it became a subject of diplomatic and parliamentary discussion, and in your Department, sir, you will find, under date of June 12, 1896, among the diplomatic and state papers, one referring in full to the "naturalization case of Marcus Braun." The Magyar newspapers lauded me for my patriotism; the Magyar ministers had their say with the Austrian minister of foreign affairs. Suffice it to say that one day the present ambassador of Austria-Hungary at Washington had me cited before him at the office of the consul-general at New York, when he, Mr. Hengelmüller, the then and present ambassador, "in behalf of the land," and "under instruction from his Government," expressed his thanks for my "patriotic conduct."

Early in 1895 I had married, the then acting consul and vice-consul of Austria and Hungary, Mr. Otto Eberhard, being one of my witnesses at the ceremony, and promptly, as required by the military laws of the country of my birth, I reported to the proper authorities this change in my "social status."

The New York Journal had just then passed into the hands of John R. McLean, and by the new management I was sent to be the special representative of that paper at the ceremonies of the opening of the Baltic Canal, at Kiel, Germany. I reported that event for the Journal and also for the Pesti Naplo, at Budapest.

After the canal-opening festivities I went to Budapest with my wife, and the then prime minister of Hungary, Baron Banffy, asked me about the naturalization matter above mentioned by me, which then had not been finally decided and was still pending. I put him in possession of the facts and the manner and method of the administration of the law, gave him copies of the mandamus papers and the brief of my attorney. The minister president, Baron Banffy, took these papers to Vienna to the Austro-Hungarian foreign minister, Count Goluchowski, and the paper above mentioned, of the date of June 12, 1896, was the result of my work and of my interview with the prime minister of Hungary.

During this visit of mine at Budapest I was received by the minister president of the country, as above stated; newspapers wrote about the "Case of Marcus Braun," the "Patriotic Mr. Braun," who refuses to be known as a "subject of Austria." I was not shadowed. I was not persecuted. There was not even a suggestion of my "having left under a cloud" or of a criminal charge pending against me. I was not molested.

In the fall of 1895—I had returned to New York—Baron Johann Leonhardt, the then consul of Austria and Hungary at New York, engaged me, officially engaged me, to be the American press agent of the millennium festival that was to be held in the following year in honor and commemoration of the one thousandth anniversary of the formation of the country of my nativity.

This designation was officially recognized by the Hungarian minister of commerce. The prime minister and all the other ministers sent me their photographs with flattering letters, to be published by me in the "festival" number of "The Hungarian American," a magazine I had founded, and wherein I boomed effectually the Magyar Millennium Festival and the Budapest Exposition therewith connected.

To the "festival" I went to Budapest, taking with me also the authorization of the New York World to be its special correspondent. I was officially received by the prime minister and the other members of the cabinet, and when, on May 2, 1896, there was held at the Budapest Opera House the famous gala performance, at which even the King was present, I was made the recipient of one of the invitations sent out by the premier. Of about 800 journalists present at the capital of Hungary on that day, only six were invited to that performance, and I was, as I said, one of these six. On April 28, the present and then chief of the Budapest police, Mr. Bela Rudnay, gave me, on my personal application, a special "police-line permit." The addresses of the letters sent to me at New York by the Millennium authorities were not written or typewritten, they were printed; I was evidently on the "list," recognized as one of their own, and, later on, I was paid for my services—true, I had to sue for it. And yet, during all of that time, I was not shadowed, I was not persecuted, there was never any suggestion of criminal charges or of any charges pending against me, or that I had left my country under a cloud: I was not molested; I had an office there, with registered cable address ("Americus Budapest"), at No. 4 Nagy Korona utca, where my shingle hung out; and in April, 1896, I was given a special police permit by the very same chief of police who in 1905 said he had to shadow me because in 1892 there was a criminal charge made against me. He had not shadowed me on my former visits, nor had he any fears of me on my subsequent visits in 1899, in 1901, and in 1902.

Do you, you the famous jurist-statesman, believe the story of that "criminal charge?"

In 1897 I applied for a discharge from the bonds of my Hungarian citizenship—to have my expatriation recognized by the Hungarian Government. This request was granted in 1897. As you may see from the attached translations of the certificates issued, the laws of Hungary absolutely forbid the expatriation of a citizen against whom any criminal charge is pending. The certification of my expatriation was issued by the mayor of the city of Budapest after the latter had received the following information from the criminal authorities, a certified copy of which was secured by United States Consul-General Frank Dyer Chester at Budapest, and which is now on file at the State Department:

ROYAL CRIMINAL COURT OF JUSTICE,
Budapest, No. 63722, 1897.

To the honorable Mayor's Office of the Capital
and Residence City of Budapest, Budapest:

To your inquiry in the matter of Marcus Braun, No. 25609, and dated July 4, 1897, I have the honor to inform you with official respect that there is no criminal procedure against the individual in question under way at this court, and that no sentence has been brought which should be executed upon him.

Budapest, September 16, 1897.

ZSITVAY, Presiding Justice.
Doctor SÁLZER, Clerk.

It was the sorry work of our own Mr. Storer, who found in the fact that I applied for this discharge in 1897 a circumstance to hit me hard, and thereby serve his Austrian friends, who evidently appealed to him to save them. Mr. Storer finds that I applied for my discharge, as he says, in 1898, because then the "statute of limitations" protected me.

Our Mr. Ambassador at the Hapsburg court is after all only a country lawyer who argues haphazardly. The Hungarian law knows no statute of limitations when the final discharge from citizenship is asked for, and, as in the United States, the statute of limitations does not run when the person wishing to avail himself thereof has voluntarily absented himself from the jurisdiction. Had he, our Mr. Storer, been of your judicial mind, had he been prompted by a desire to stand manfully and faithfully by his American compatriot, instead of trying to help the Austrian minister of foreign affairs, who, among other things, told him "he" (referring to me) "is, after all, a Jew," he could readily have seen that I made my application to be discharged from the bonds of Hungarian citizenship the first moment I had the right, under the law of Hungary, to do so, namely, in 1897. I had become a citizen of the United States in 1897. Having come to the United States in 1892, I could become a citizen of this country in 1897, and, becoming a citizen of this country in 1897, I could ask for my discharge from Hungarian citizenship only in that same year—1897—as the laws of expatriation in Hungary make it a condition sine qua non that the applicant should be able to show, by submitting his certificate of citizenship from the country of his adoption, that he has actually become a citizen of another country.

Pray forgive me for wearying you with these repetitions. The matter, however, is of supreme importance, and only his high character and his filling a position so important saves Mr. Storer from the positive charge of having acted mala fide, and to have done so intentionally, when he accused me of seeking the protection of the statute of limitations.

Mr. Storer, in his report of May 27, 1905, says that it is true that in 1898 I came back to Hungary and succeeded in obtaining a certificate of recognition of my being a citizen of the United States, and that, under the best legal advice he could obtain, the issuance of such a certificate from any provincial government of the "Austro-Hungarian Empire" only indicates that the person named owes no taxes or military service to his former government, and that there is no pending against him any legal prosecution actually begun before his emigration. Mr. Storer further reports that in my case the statute of limitations of Hungary barred before the year of my return—1898—any prosecution for acts committed before going to America, in 1890, whether they were officially recorded and published before my departure or after I left, and that on this account, there being no prosecution actually pending, certificate of United States citizenship was granted me in 1898. In order to show how superficially, carelessly, and recklessly Mr. Storer makes these statements and draws conclusions, and how ignorant the legal talent must have been from which he sought advice, I quote for your information the particular section referring to these cases of the Laws of Hungary of 1879, entitled "The obtaining and forfeiting of the rights of Hungarian citizenship:"

"Sec. 3. That he is not under criminal investigation in the territory of the laws of the Hungarian Crown; or that there was no sentence of any criminal court against him which remains unexecuted."

But, even assuming that Mr. Storer's contention is correct, do you not think that the presiding justice of the Royal Hungarian criminal court would have answered to the inquiry of the mayor of the city, "Yes; there is a criminal procedure under way against the individual in question, but the same is outlawed by the statute of limitation," provided a cause of criminal action ever existed against me? Of course he would have said so, and the law being very clear on the subject no such certificate ever would have been granted.

I now proceed.
Yes; I forgot to mention it. When, in 1896, I went to Budapest to the millennium festivities I carried with me a very flattering letter of introduction from the then consul of Austria-Hungary, Baron Johann von Leonhardt, praising me with kind partiality for my effective work in behalf of the Hungarians and the millennium in the field of American newspaperdom; a translation of this letter is also attached hereto.

As I said before, I was obliged to sue the Hungarian Government for the recovery of my salary as press agent of the millennium commission, and I then was made aware of having become in the eyes of the Hungarian Government officials "persona non grata;" though up to the time of the bringing of my lawsuit I had been "our esteemed compatriot."

I was attacked in one of their official newspapers, and there was put forward as the author of these attacks an individual by the name of Alexander Hecht, who, however, at that time went by the name of "Hajdu." This individual had lived in the early nineties and until the end of 1894 in New York under the name of "Hecht." He led an immoral life and was frequently involved in litigations which proved him to be a usurer. He was a friend of former Consul-General Von Palitschek.

I had at that time instructed Dr. Desider Olah, my attorney in Budapest, who was prosecuting my claims against the Hungarian Government, to institute proceedings for libel against the two Budapest papers, Nemzet and Magyarorszag, that had printed the libelous allegations of said Hecht-Hajdu, but owing to the fact that I was too far away from the point of litigation, and my attorney asking continually for excessive sums of money, and more particularly because of the fact that, with the aid of the Austro-Hungarian consulate-general of New York City, they attempted to and did manufacture evidence, although but of a hearsay nature, and would not even give me a chance to cross-examine the witnesses, the whole proceeding being ex parte, I did not further prosecute the matter. From the attached exhibit, which is a transcript of the testimony so concocted and manufactured, you will readily see that I could not very well afford to go into this matter more deeply, and this is also the reason why I said to Mr. Storer at Vienna and also to the consul-general at Budapest, Mr. Chester, that under no circumstances would I bring any legal proceedings for the violation of my mail and the defamation of my character, but I positively deny that I ever made this or any similar statement to any newspaper or person, as quoted by Mr. Storer.

The perusal of the testimony taken in 1897 at the Austro-Hungarian consulate of New York in that libel suit of mine is immensely interesting. That in the wide, wide world there should be a civilized country resorting to such judicial (?) methods is simply marvelous. Pray allow me to give a few outlines thereof. I had been charged with having stolen a fur coat and other things from one Horwath, in New

York, and Horwath is produced. He testifies: "Braun boarded at my house; he never stole anything; there was never anything stolen at my house." Then, to counteract this, they produced Ignatius Weltner as a witness, who testifies that "somebody told him that he had heard Horwath say at one time that Braun had stolen at his house." And similar and like testimony, and even this taken ex parte, without notice to me and of course without any opportunity on my part to cross-examine. Of course I did not prosecute the two libel suits to final end. What same man would?

Then, in 1905, I am attacked in the most vicious manner for not having continued the prosecution of said libel cases, but this attack is again perpetrated by the same individual, "Hecht"—"Hajdu." He is made to issue a pamphlet, paid for by the Hungarian Government, and about which I have reason to believe the United States consul-general at Budapest made a special report.

Pray, look through the attached exhibits, and you will at once see how futile it would have been for me to have brought legal proceedings at Budapest.

I again visited Hungary in 1899, in 1901, and in 1902. At no time was I shadowed, at no time molested, never any suggestion made of my being a "criminal."

In 1903 I visited Austria-Hungary as an American official of the Bureau of Immigration, Department of Commerce and Labor.

I am not molested; no suggestion is made that in 1892 there was a warrant of arrest issued against me; that I left my country under a cloud; no, no, no; I am received in the most friendly spirit imaginable.

Again in 1904 I am, in official capacity, in Budapest.

Then, in 1905, I suddenly change into a suspicious person or character, and I must be shadowed, and my mail must be tampered with. And they maintain this up to the last moment, and persuade our own Mr. Storer to believe it. These Hungarian politicians making these charges I forgive; they fought me; it was a question of political life or death to them—with brutality, true, but they fought, impelled by the law of self-preservation.

But why our ambassador at Vienna, Mr. Storer, should have lent himself to do their miserable work is something beyond my comprehension, unless it be that the smiles and the "friendship" of the Vienna nobility are nearer and dearer to his heart than the sacred rights of an American citizen.

Mr. Storer's report, and I assume full responsibility for what I say here, is a tissue of glittering generalities of things "he has been told," "he has heard," "tattle tales," unworthy of him and of the high office he holds.

Among the charges made by the Austro-Hungarian Government and echoed by Ambassador Storer against me is this: "Braun is making, through a Hungarian newspaper, propaganda for emigration to Canada."

How an American diplomatic high officer could have repeated the stupid nonsense is something you, Mr. Secretary of State, will not be able to perceive. Why, sir, if I had been guilty of the offense would the Hungarian Government have dillydallied for a second? Within an hour after that Government had learned something of the sort, having only the most remote semblance of truth, I would have been expelled from the country, as provided by the Hungarian emigration law. Of course I never did anything of the kind, neither directly nor indirectly, and I can not make any denial of the accusation broad enough, earnest enough.

Then Mr. Storer says: "Braun had himself interviewed by newspapers belonging to the opposition party, criticising the Hungarian emigration law and its administration."

I wish to state here that there is absolutely no truth in the accusation, and I defy anyone to prove anything to the contrary. There is not in all of Hungary one paper belonging to any party that contains "an authorized interview" with me, which I "had sought" or which I had not sought. Had I uttered one word of criticism against the Hungarian Government in any newspaper at any time while in Hungary in any official capacity, I could have been promptly expelled, or, if the Government desired to treat me with kid gloves, a marked copy of such newspaper, containing such indiscretion on my part, if sent to Washington, would have sufficed to have secured my prompt recall. I did, at one time, issue one signed statement which I gave "haec verba" later on, but that can not be the basis of Mr. Storer's accusation.

"Mr. Braun failed to present himself at the proper ministry with official credentials and passports, but had evidently sought to obtain notoriety as an influential personage charged with important and confidential instructions. He seemed even to seek in every direction some means of showing himself as a person obnoxious to the Hungarian Government and feared by it."

This is from Mr. Storer.

Now, as to Mr. Storer's accusation, let me say this:

In April, 1903, Mr. Storer introduced me to Doctor von Koerber, the prime minister of Austria. I had a fifteen minutes' pleasant interview with Doctor von Koerber, who sent for Councillor Franz Kaltenbrum, of the ministry of the interior. With that gentleman I had a confab of an hour and a half's duration, exclusively upon the question of emigration, the sum and substance of which interview I used in my report of 1903, and which was published in the Annual Report of the United States Commissioner-General of Immigration of that year. In February, 1905, this high official of the Austrian Government came to the United States on an official mission connected with emigration; he paid me a visit at my house, and on February 14, 1905, the same Mr. Kaltenbrum was my guest at the Hungarian dinner tendered to the President of the United States. A few days later, about the end of April, 1903, I came to Budapest, and was introduced by United States Consul Frank Dyer Chester to the Hungarian prime minister, Mr. Koloman von Szell. The prime minister referred me to Councillor Dr. Alexander Seley, of the ministry of the interior, who is in charge of all matters relating to emigration and police. This interview and a number of others, and documents, prints, circulars which I received from him personally I also refer to, and do so pretty fully in my report of 1903, and yet I am accused of having "failed to present myself at the proper ministry with official credentials and passports."

Did not he (Mr. Storer) introduce me? Did not Mr. Chester introduce me? Did I not call again on the same officials in 1904? Upon my arrival, in April, 1905, Mr. Chester gave me a special Hungarian letter of introduction, hereto attached, which I used while traveling through the country. Why should I have gone to this high official every time I came to Vienna and Budapest? Was I a diplomat or consular officer, or was I simply a plain immigration inspector, an expert, sent out by his Government to observe certain things and to report his observations?

And yet there is the ex parte accusation of "Mr. Braun failing to present himself at the proper ministry with official credentials."

Shall I waste your time, honored sir, in attempting to refute such general charges, that I "evidently sought to obtain notoriety," or I "seemed to seek some means of having myself known as a person obnoxious to the Hungarian Government or feared by it?"

I sought notoriety? No; a thousand times no! I had become notorious enough in the eyes of the Hungarian Government when my report of 1904 had become known to the Government, and the interesting part of the story is that the Hungarian Government knew the contents of my report of 1904 long before the American public learned it. Knew it through what sources? Who knows? But know it they did, as I have full reason to assert, and from their minute, and, to me incomprehensible, knowledge of my work grew the strong feeling of antipathy that manifested itself against me and eventually was intensified by my speech at the Presidential dinner of February 14, 1905.

In my report for the year 1904 I had set forth the truth as I saw it, the truth as it is or then was. I put my finger on the ulcerous sores. I showed how they failed to bribe me, and I showed how willing they were to escape responsibility by simply denying statements, made within one month, denying them with the boldness and audacity of professional liars. Of course I knew then they feared me, just the same as the burglar fears the policeman, but I never did anything, said anything, which would justify Mr. Storer of accusing me that I sought the opportunities to show how they feared me.

I say I knew they feared me. Did not I, until then an unheard-of individual, have the courage to unmask an Austro-Hungarian consul-general as a cheat and help him to be convicted of crime? Did I not, to a certain extent, break up the supererogation of the office of the consul-general of New York to guide the social and political life of the Hungarians in New York and force them back into their own official spheres?

Did not I unmask the hypocrisy of an Austro-Hungarian consul-general of New York, who, very properly, half-masted the consulate's flag on the receipt of the sad news of the assassination of his Empress Queen, and who proclaimed the usual official mourning for her, and then went to an opera bouffe and leg show performance?

Did not I unmask one of the consular secretaries as being a common gambler, arrested in a raid in a low dive, hauled in a patrol wagon to one of the police courts of New York City? Did not I compel the Austro-Hungarian ambassador at Washington to admit that one of his subordinates who was sent by him to investigate certain conditions of Hungarian miners in West Virginia was a common forger?

Did not I have in mind my experience with the officials of the Government when I had to sue for my earnings as the press agent for the work performed in New York at the time of the millennium?

Had I forgotten my experiences with their administration of justice when I had brought my libel suit against "Nemzet" and "Magyarország?"

Of course, I knew I was not persona grata with these people, just as I am surely persona non grata with crooked steamship agents, fake bankers, and individuals of this stamp and this class.

Had I been the most fastidious claimant to forms of etiquette and propriety I could not have complained of my reception in Hungary in 1903 or in 1904.

It was all different in 1905. Then, in 1905, my report was known in Hungary, and I was in the eyes of these people the "black sheep" of the nation, the "foul bird who had soiled his own nest."

Long before I had come to Budapest I was pictured as a traitor. One of the Hungarian papers wrote: "We prefer to shake hands with any of our men who work in the coal mines of Pennsylvania and come back home as good Hungarians than with any of these Americanized Hungarians who dine the President of the United States."

These articles and their English translations I forwarded at that time to the Commissioner-General of Immigration at Washington, and had Mr. Storer paid a little attention to the newspapers of Austria-Hungary he could have readily seen and known how "notorious" I was long before my arrival.

I never added to this "notoriety," nor did I ever attempt, directly or indirectly, to add thereto by an interview, or criticism, remarks, statements, or information of any sort. If I gave any "information," I did so—as it was my right and sworn duty to do—about our immigration laws, and then only in response to requests made to me in good faith, and I repeat it here only as to what our laws were upon this or the other subject.

If I knew anything, I knew the people of Hungary; I knew the state of feeling of the Government; I knew the very air of the land, or, at least, of Government circles, to be pregnant with the feeling of hatred toward me. I knew I must be full of tact, of discretion, of caution, of serene, calm, philosophy, and, above all, I knew I must be absolutely truthful, so as not to give even the semblance of an outcry against me. And what I knew I had to be, I lived up to to the very dot on the "i."

I might be permitted to say here that this "tact" and "discretion" and "caution" were not unnatural to me to preserve. I do not wish to boast, but I wish to point out how I had made trips of more than 200,000 miles for the Bureau of Immigration: had visited England, France, Italy, Germany, Russia, the Turkish and the Balkan provinces, Egypt, Palestine, Cuba, Mexico, and so forth—everywhere on the same or similar mission as sent to Hungary. From nowhere ever came even the hint of an "indiscreet conduct" or "want of tact" or "notoriety seeking" or any charge whatever, although in none of the places was I welcome, because everywhere it was known that I had come to learn of any possible transgressions against our immigration laws, and there are such transgressors in many other countries.

No; a thousand times no. I sought no notoriety; I was not boastful; I was not indiscreet; I was not guilty of want of tact.

Then came the incident of my catching, red-handed, the detective pilfering my mail.

And then came the miserable denials, the prevarications, the lies, the slanders.

I dare to say it, without fear of successful contradiction, that never yet has a more cowardly, miserable trick been played upon an American ambassador or any ambassador of any land than has been played by Minister Count Goluchowsky upon our Mr. Storer, when the Austrian diplomat showed to him the warrant printed on page 10 of House Document No. 482, which warrant of arrest Mr. Storer says induced him not to insist "to obtain from the Hungarian Government an absolute retraction of the statement, as well as a denial of its official character."

I learned of the existence of this document only recently.

Never, absolutely never, had it been mentioned while I was in Budapest.

When I caught the detective he at first denied that he had touched my mail or that he had anything to do with me or my affairs; he claimed even not to know my name.

Then he issued a statement, of which I attach a translation, of having watched me because he had learned that in Munich and in New York I had been guilty of larcenies and defalcations.

The newspaper discussion about this case lasted over a week. There was never in any of the papers a statement that I had figured at any time in the "official police journal," or that a police circular or warrant had ever been issued against me.

When that detective and his chief and the Government organs pounded me most viciously the "warrant" or "police circular" was not mentioned or even hinted at.

As I said before, and I say it here with the solemnity of an oath, I learn of it now, through Mr. Storer's letter to Mr. Hay, dated May 23, 1905, and printed in House Document No. 482.

Mr. Storer, whom I saw the last time on May 26, 1905, never mentioned that warrant to me; he did not even hint at the existence of such a charge.

According to the police record a warrant was issued against one Marcus Braun; it was issued December 16, 1891, and published in the Police Journal February 1, 1892.

Shall I solemnly deny of being the man named and described in that warrant of arrest?

Yes! I most solemnly deny it! If, indeed, there ever had been such a warrant issued; if it was not convenient to manufacture it for the purpose for which it had been actually used, namely, to hoodwink Mr. Storer, and, through him, our home Government!

A warrant issued against me on December 16, 1891, and published in the official Police Journal, the publication in the hands of every police officer in the dual monarchy, and in all head offices of all police departments throughout Europe, on February 1, 1892, and—just think of it—my passport is dated April, 1892, my official military identification booklet containing permission to leave for America, is dated also April, 1892, and bears the signatures of the military authorities for May 20, 1894, November 11, 1894, December 20, 1895, July 1, 1896, August 19, 1896, and September 17, 1896, entered on the occasion of my various visits to Hungary.

My discharge from the bonds of Magyar citizenship bears date December 6, 1897. Early in 1899 the ministry of national defense sent me, through the New York consulate, a medal.

I visited Budapest in 1894, and again, and again, and again I visited Budapest. At one time I sued the very Government, and the Government settled with me; at one time the chief of police favors me by giving me a special police line permit.

Never is it claimed, hinted at, or suggested that such a warrant had ever been issued; it is not brought forward as a defense when the matter is in court; when, look and behold, it is shown by Count Goluckowsky to Ambassador Storer, and he, believing it to be a bona fide warrant once issued against me, thereupon comes to the conclusion that my past life in Hungary was not blameless, changes his position, and allows the Hungarian Government to escape liability upon the giving of a colorless declaration, a meaningless declaration of not being responsible for what some overofficial subordinate officer has done; whereas there are documents in possession of the State Department showing just the reverse of this assertion.

But, even assuming that such a notice was ever inserted in the Police Journal, does that mean that the person mentioned is guilty of crime? Has Mr. Storer not acquainted himself as yet with the "honest workings" of the Budapest police, notorious all over the world, with a record which makes the deeds of the Tweed régime of New York look like the acts of angels? Let Mr. Storer make inquiries and he will find out that for 5 florins he can get anybody's name into the Police Journal.

Now let me show you that this very avowal of not being responsible for what a subordinate official has done is a cowardly, miserable falsehood and subterfuge.

That not the subordinate did it—what had been done—but that he was the authorized agent of the Government, acting under positive instructions; that the Government of Hungary did it—did it deliberately and did it maliciously.

"The incident is closed," I am informed by the Third Assistant Secretary of State in answer to my inquiry, upon my return from Europe. I am not allowed to go to Washington to present my case, and I am ordered to report for duty at Ellis Island. There by whispers and occasional hints I learn some of the contents of the secret charges filed against me with the State Department. Among the Hungarian residents of New York it is openly discussed how "Braun's record was shown up," and "what a great diplomatic victory Austria-Hungary has won over the United States." I am being ostracized, snubbed, and the anyhow intrigue-ridden officials and superiors of mine in some of the principal ports of entry of the United States, some of whom maintain at all times very close relations with Austro-Hungarian consulates, plainly let me feel their contempt for me.

I appeal to Washington for relief and information; nothing is forthcoming. Under the date of July 13, 1905, I appealed to the President. Please, Mr. Secretary of State, read the attached copy of that letter to the Chief Magistrate of the nation, and then judge for yourself whether the documents referring to my case and shelved in the archives of your Department, jealously guarded as state secrets, were really secrets, or whether or not their contents were known to many people, and naturally were also made known to me through channels close to the Austro-Hungarian consul-general of this city.

Then when the situation becomes simply unbearable, when I am daily flooded with anonymous letters and postal cards, when the residents of the Hungarian quarter of New York get in such a pit of excitement by continuous controversies pro and contra Braun in almost every public coffeehouse, and when these controversies eventually culminate in fist fights and terminate in police courts, I finally decide to resign my position, and state, as I did state to the Commissioner-General of Immigration in an interview held August 12, 1905, at Ellis Island, that my resignation is due to the picaresque, pettifogging behavior of some of my colleagues and superiors, which, however, is only a contributing cause, and that the main reason is, as I stated, "I do not think I can afford to serve any further a Government which can not protect its officers from insults and indignities."

But I will show still more.

I will show, as I have heretofore indicated, that the Hungarian Government still is persecuting me, or at least lending its hand to malicious "busybodies" among the Hungarians of New York.

According to the report of our Mr. Storer, the Hungarian Government disavowed the action of that subordinate official, gave him a reprimand, and Mr. Storer allowed himself to be persuaded that the

Hungarian Government had done all that it ought and he could justly demand.

When I had caught Detective Kalmar tampering with my mail, and when he had me cited before the police magistrate for having insulted and having threatened him with bodily harm, the position by him taken was an absolute denial.

He never mentioned that he had watched me; he never mentioned having had any suspicions against me.

I, however, knew—I did not have a suspicion that my mail was being read by the police before I received it, I knew this to be the case. I positively knew it. I reported, not a suspicion, but the positive accusation of this being done. I did so to the consul-general at Budapest, to Mr. Storer at Vienna, and to the Commissioner-General of Immigration at Washington, and I believe there must be a report to this effect in the archives of your Department from Consul-General Chester.

I knew, for instance, at 11 o'clock in the forenoon the contents of my letters that reached me only at 2 o'clock in the afternoon, because they were read at police headquarters before 11 a. m., and I was told of it, and the sum and substance of the letters were given to me under the seal of secrecy by one of the officials reading them—and reading them at the command of the chief of the bureau. This official of the bureau, who read my letters, and several others of his colleagues being told by the chief to read my correspondence because the chief had said to his subordinates it was necessary to catch me red-handed in my business of dealing in white slaves—exporting girls to the United States for immoral purposes—that the year before I had taken out sixty-eight girls.

Of course I said to Mr. Storer that I can not very well give the name of my informant, but did not the United States consul-general at Budapest offer to depose under oath his knowledge hereof, by him ascertained?

This tender of his deposition by the consul-general of the United States at Budapest ought to be, I think, on file in your Department.

I believe there should be among these papers a report, or a letter written by my Budapest attorney to Mr. Storer, relating what he knows upon this subject. He and I, coming out of a theater, were met by a high police official—one of the superiors of Detective Kalmar—who accosted me with the question, "When are you going to Delta?" Now, the possibility of my going to Delta, an out-of-the-way place, insignificant and unimportant—as if, for instance, a New Yorker would be asked, "When are you going to—not to Long Branch, or Newport, or Lakewood, or Washington—but to Flushing, Long Island?"—was hinted at in a family letter received a few hours before, but which letter had—the conclusion is absolutely irresistible—before its delivery to me been read by that police official.

But to return to my story. When Kalmar, the detective, had made his complaint, and had said that he knew nothing of me, had nothing to do with me, or with my mail, and that he did not even know my name, and after I had been fined, the United States consul-general went to Kalmar's chiefs. I had been there with Mr. Chester before the trial. Then, and only then, came a change in their position. Then it was admitted that I had been watched, "because it was a necessity," and finally even the reading of my mail was admitted, not in so many words, but by the evasive answers and the claim of "whatever we did, we had a right to do, because Braun was a suspicious character," etc.

The perusal of all the documents in the State Department ought to show this with absolute clearness. The claim of the Budapest police authorities that Detective Kalmar did not act under their positive orders is a most cowardly shirking of their responsibility, is a deliberate falsehood.

Then they say that Kalmar had been reprimanded for his super-officiousness and unauthorized action.

Let us see. Was he really reprimanded?

The incident was officially "closed" in May, 1905. In the exhibits hereto annexed there are two copies of letters written by this same Detective Kalmar, the first dated June 16, 1905, and addressed to the editor of a Hungarian newspaper in New York, wherein this man Kalmar requests the editor to print in that Hungarian newspaper, published here in New York, a long line of accusations and charges against me—bitter, vituperative slanders—and adds that if the Hungarian paper be not willing to publish that letter, how he will have it translated into English, and then have it printed in the English newspapers of the United States.

The second letter is dated September 25, 1905, and is of a similar nature, and mentions publishing the story in the form of a pamphlet which he, Kalmar, will send to the President.

Of course, it is possible to presume that these letters were written by that detective, whose action was disavowed by the Government of Hungary, and who had been reprimanded (?) for it by the same Government, on his sole responsibility, and that the Hungarian Government, or, at least, his superiors, knew nothing of it; but it is a pretty violent presumption. Much more reasonable is my claim "that the incident is not closed," not closed, at least, by the Hungarian Government circles.

Fuel is added to this more reasonable claim of mine by a pamphlet published and widely circulated here in New York and other cities by one Lajos Steiner, a copy of which I also attach herewith as an exhibit. Of course, it is again possible that Lajos Steiner published that pamphlet on his own responsibility. This, too, however, is a very violent presumption.

Mr. Lajos Steiner is not that kind of a man. We know him here in New York. We know him to be an irresponsible nondescript "agent," with an office in his hat, and we know his record and reputation from all over the United States where Hungarians reside. He is one of the "professional patriots" old Hungary unloaded on the young Republic. He has, or had, the backing of the Austro-Hungarian consul-general of New York. Personally I know nothing about it, but I know of his repeated boasts to the acting in the Braun matter, for and in behalf of that consulate, and it is pretty well known that he has regular or irregular office hours at that consulate, or where he at least hangs out. A little over a year ago he went to Hungary with letters of recommendation from the Austro-Hungarian embassy at Washington, and the consulate-general of this city, which letters he (Steiner) freely showed prior to his departure, and in which letters he was mentioned as being the proper man for the organization of that "famous" Hungarian National Bank in America, which bank is destined, according to the views of Hungarian Government officials, to quadruple the flow of dollars from Hungarian immigrants in the United States to the country of their nativity.

In a criminal libel suit which I have instituted against Steiner he is being defended by the former law partner of Ignatius Weltner, deceased, who, when in the land of the living, was the attorney of the

Austro-Hungarian consulate-general of New York, and who, as you may see from the annexed exhibits, was the man who concocted and manufactured in the office of that very consulate evidence against me, and which was used in the two libel suits instituted against two Budapest newspapers in 1896. Weltner was the man who, in May, 1899, made the same libelous charges as the Hungarian Government and the Budapest police did against me to President Roosevelt, the then governor of this State, and who did dismiss them as base slanders.

Of course, the fact that Weltner's law partner defends now Steiner may also be only a mere coincidence, but how kind must have been Divine Providence to my accusers to bring these happy chances about.

Pray permit me once more to return to the charges made against me, that articles appeared in Hungarian newspapers, "apparently on my authority," or that I had inspired certain newspaper stories in this emigration matter. The Hungarian Government produces no evidence to substantiate this charge, and I solemnly state under the sanctity of my oath that it is untrue. I am no more responsible for those newspaper articles than I am for the tide that ebbs and flows.

I saw some of these articles after they had been in print, and, pray, what could I do? Protest against the use of my name if I found my name of them? Of course I could not do it. "The other side" would have greeted that as the very chance by them sought—I. e., to engage in a discussion, a controversy, a newspaper fight. Take that article mentioned in Mr. Storer's report, on page 11 of House Document No. 482—the article in the Magyarorszag. I knew as little of its publication, despite Mr. Storer's gratuitous assertion of that article being "published by the apparent authority of Mr. Braun," as did Mr. Storer, and surely he knew nothing of it. If I wanted to have an article published or wanted to suggest the publication of one, I would not go to that newspaper—Magyarorszag. I could not go to that newspaper. This was the very newspaper which I sued for libel in 1896, and in which libel suit the "evidence" spoken of was collected by that publication, and was then being hurled at me by Detective Kalmara and his superiors.

Again and again I deny that I ever had any interviews, that I ever talked for publication with any newspaper man. True, I was besieged by them day after day, but I resisted their importuning, persuasion, promise, prayer; I kept aloof from them. If I ever did receive any newspaper man, it was only at a time while I had somebody whom I could absolutely trust with me.

Mr. Storer, in his letter of May 27 to Mr. Hay, reports that the minister of foreign affairs, Count Goluchowsky, had told him that he had definite complaint laid before him by the Hungarian Government that Mr. Braun was either in the employ of or was intimately connected with a well-known Jewish emigration house in Bremen—Meslar & Co.

That the Hungarian Government had the physical ability to make such a complaint is possible, but that it had any direct or indirect, distinct or faint, close or remote, just or seemingly just, true or seemingly true, probable or possible grounds for making this accusation, or evidence on which to make it, is as atrocious a slander as if it had said that he (Mr. Storer) is the "company" of that firm.

I think the "Meslar & Co." in Mr. Storer's letter is identical with the firm of Missler & Co., and how "intimately connected" I was with that firm is visible from my reports on file in the Department of Commerce and Labor, published with the annual report of the Commissioner-General of Immigration, and also published in House Document No. 384, brought forth by resolution of Congress adopted January 6, 1906. If these reports of mine do not refute and repel this silly charge, then my most solemn oath can not do it. By the way, it is, en passant, worth while to state that the firm named is not a Jewish emigration house; the members thereof are coreligionists of Count Goluchowsky and of Count Tisza, and are not coreligionists of mine.

One thing more. You, sir, might reply to me: "I can not hear an appeal from any decision of my famous predecessor in office." Your predecessor in office has had just time and strength enough to affix his signature to what his subordinate, Mr. Loomis, had reported to him, a synopsis of what he had found in the letters of Mr. Storer. Neither Mr. Hay nor Mr. Loomis had, however, the facts before them as you have them now. This is not an appeal from the decision of the late Secretary Hay. This is a case submitted to you, not "on newly discovered evidence," but on statements of fact never presented to the late lamented Mr. Hay nor ever brought to your attention.

Sir, the closing days of the last and the opening days of this century had their Dreyfus case with its famous secret dossier. Well, thank God, the Republic, which never knew kingcraft or priestcraft, has no need of secret dossiers. Our nation, as a nation, worships that holiest of trinities, law, labor, and liberty, and the foundation stones on which it is built are justice and equality.

Justice and equality to all, even to the Jew. For there is Count Goluchowsky's sorest wound, "that he was a Jew, and that I might know the friction inevitably to be anticipated on that account," reports Mr. Storer.

Yes; I am a Jew. Mr. Storer might have replied to Count Goluchowsky: "No; we in the United States might not have known of any friction arising by reason of one of our officials being a Jew. Why should friction arise from that?"

Mr. Storer seemed to concede the point, and thereby missed a chance to give to a proud empire-kingdom a lesson in religious tolerance which might have had a blissful influence on all humanity.

But that is neither here nor there. I am a Jew, but I am an American citizen of my own free will and choice.

In the name of the elementary laws of our land I demand at your hands my vindication or my condemnation.

The immortal soul of your immediate predecessor will approvingly and contentedly look down on your brave deed of reexamining the case, to which he could give, if at all, but a passing attention.

In spite of my burning desire to be brief, I see my "brief" to have grown to unusual length. I have, however, no apology to offer, except to point out to you the supreme importance of the issues involved. To me naught beneath the sky is of more importance than my good name.

When the statesman warrior at the helm of our ship of state honored me with an appointment, I felt the responsibility. I enthusiastically undertook to prove to my American home, to my superiors, from the Commissioner-General of Immigration up to the President of the Republic, and, still higher up, to the people of the United States, that the naturalized citizen of Hungarian birth is with all his heart and soul, with every throb of his blood and every thought of his brain, a good American, guided by the highest sense of honor and duty, worthy of the confidence of his fellow-Americans.

I implore you to set me right before the American people; I beg of you to study the annexed exhibits, and I respectfully request, as an American citizen, that you put a stop to the interference of foreign government officials with their former countrymen in this country.

Kindly consider that for ten long years I have been and am being hounded. Why? For what reasons? Just because I am an American, and because I do not believe in the "modern" doctrine of certain foreign governments to always remain loyal to the country of my nativity, even at the expense of my Americanism. I implore you to take into consideration that, after all, as a citizen it is my sacred right to demand from your Department protection against the interference of foreign governments with my constitutional rights and not be compelled to waste my time and money—until now over \$6,000—to fight for my unjustly attacked honor, to defend myself against mean, contemptible, and underhanded conspiracies and slanders.

But above all you have to set me right before the American people. This "me" is not only the person of Marcus Braun, it is the principle which he represents: faith and confidence in the patriotism of the naturalized citizen, and in his gratitude to the nation which received him, elevated him to the proud position of being its citizen, and which nation had honored him with an appointment to an office of trust and honor.

I submit my appeal to you, sir, with full confidence in your high sense of justice.

Yours, most respectfully,

MARCUS BRAUN,
78 Second avenue, New York City.

APPENDIX.

Copies of translations of documents and correspondence marked as Exhibits No. 1 to No. 23. Copy of letter to Commissioner-General of Immigration, dated June 13, 1905. Copy of letter to the President of the United States, dated July 13, 1905.

EXHIBIT No. 1.

[Duplicate.]

(Cover) Stamped; bearing rubber seal of J. & R. consulate-general of New York. In lead pencil: 48437. Honvéd identification book. Mark Braun, honvéd. Hungarian Royal First Honvéd Infantry Regiment, Budapest. In ink: 6703 7/95. 76050.

First page: Within the book. Honvéd identification book. Marcus Braun, honvéd. Hungarian Royal First Honvéd Infantry Regiment, Budapest. Annual of mustering: 1887. Page of vital statistics: 179. Station where mustered in: Budapest.

Second page: Printed instructions.

Third page: Rank: Honvéd. Name: Marcus Braun. Army corps: Hungarian Royal First Honvéd Infantry Regiment, Budapest. Annual of mustering, second company: 1887. Page of Vital Statistics, 179. Residence: Municipality, Budapest. Status of municipality: Capital; county, Pest; land, Hungary.

Fourth page: Birth: Place of birth: Melykut; county, D. Bodrogh; year, 1865. Vocation: Journeyman tinsmith. Special signs of recognition: Partially knock-kneed; speaks languages, Hungarian and German; bodily height: 1,690.

Fifth page: Was mustered in April 1, 1887, according to usual routine, and was enrolled to the First Honvéd Infantry Regiment. Actual service of two years and ten years reserve. Was placed in reserve December 31, 1889.

Sixth page: Medals of bravery (memorial) or other distinctions: Budapest, May 20, 1894. By order of the commander of the First Honvéd Infantry Regiment "Kieg. par."

Seventh page: Additions to the personal notes, the services done, and the changes of residence. Joined the regiment for instructions of recruits October 6, 1887. Was furloughed November 30, 1887. Joined regiment for service August 22, 1888; was furloughed October 24, 1888; joined service July 9, 1889; was furloughed May 2, 1890.

In conformity with a proscription, No. 6790, dated 8th of October, of the commander's department of the First Honvéd Infantry Regiment has been absolved from participating in the military maneuvers of this year. XII/11, 894. Fabian.

Eighth page: Rubber stamp in capital letters: "Has reported for permanent residence. Municipality of the capital of Budapest. 1894. XI/11. Fabian.

Ninth page: In conformity of a decree dated December 15, 1895, No. 14302, of the district: "Inasmuch as he is at present permanently residing in North America, New York, he is upon his petition, and in conformity of Part II, section 35, point C, of the Honvéd regulations, freed from participating at the maneuvers of the year of 1895, and also from appearing this same year at the counter-guard reviews." Budapest, First Honvéd Infantry Regiment Comm'd. Szlavy, Col. Lieut., Regiment Commander.

Tenth page: Reported back to New York at the military subdepartment of the capital city, Budapest, Municipality, July 1, 1896. Kapelle. No. 319 M. B. Reported for residence in New York, the I. & R. Consulate-General, New York, August 19, 1896, the I. & R. Consul, and "Gerent" Dessewiy. Seal of the consulate.

Eleventh page: Inasmuch as he is permanently residing in North America, in New York, he is, in response to his petition in accordance with Part II, section 35, point C, of the Honvéd regulations, relieved from participating at the military maneuvers of the year 1896 and also from participating at the counter-guard reviews, Budapest, September 17, 1896. Seal of the commandant of the First Honvéd Infantry Regiment. Hartman, Colonel.

EXHIBIT No. 2.

[No. 57. 1896. The chief captaincy of the State police department of the royal Hungarian capital city of Budapest.]

TEMPORARY POLICE PERMIT.

Mr. Marcus Braun, collaborator of the newspaper the New York World, I herewith empower during the duration of the exposition to enter within the police lines at the public festivities by the police drawn and to remain within such lines.

It is compulsory to appear at these festivals in black dress. This permit is not transferable and remains in force from to-day until October 31, 1896.

Budapest, April 28, 1896.

[Seal of the State police department.]

RUDNAY,
Chief of Captaincy.

EXHIBIT No. 3.

INVITATION.

To the gala performance, given on the occasion of the solemn celebration of the festival of the one thousandth year of the existence of

the Magyar State; at the Royal Hungarian Opera House, 1896, May 2; Saturday evening at 7.30.

Marcus Braun (World).

The invitation serves as ticket of admission, which is not transferable; if not availed of, please to return as soon as possible to the royal commissioner of the Royal Hungarian Opera.

The ladies appear in evening dress; the gentlemen in national gala costume or gala uniform, respectively, in swallow-tail coats and white neckties.

EXHIBIT No. 4.

I. AND R. AUSTRO-HUNGARIAN CONSULATE-GENERAL,
New York, March 20, 1896.

With entire willingness do I declare that I know Mr. Marcus Braun, who is the part owner and the editor of the Hungarian American, a monthly magazine serving the interests of the Magyars in America, and is also collaborator on divers influential daily newspapers, as an active reliable man, who possesses all the qualities which are needed for the support of the interests of the local Hungarian colony.

For these reasons I gladly recommend him to everyone.

BARON JOHN LEONHARDI,
Imperial and Royal Austro-Hungarian Consul.

EXHIBIT No. 5.

No. 37221. 1897.]

OFFICIAL CERTIFICATE.

The municipality of the royal capital city herewith officially certifies that Marcus Braun, at present a resident of New York, journeyman tinsmith, is not in arrears in Budapest with no state nor any municipal taxes, nor of any military service, absolution fees, wherefore there is no hindrance for any of these reasons of he being released from his obligations to the Magyar State.

Budapest, December 6, 1897.

VIOLA, Vice-Mayor.

EXHIBIT No. 6.

No. 4302.]

IMPERIAL AND ROYAL AUSTRIAN-
HUNGARIAN CONSULATE-GENERAL,
New York, December 1, 1896.

On the part of this Imperial and royal consulate-general, it is, at the request of Mr. Marcus Braun, herewith affirmed that there is nothing derogatory at this office pending against him.

A certain affair that during the last summer had been brought forward against him, has been cleared up in a satisfactory manner.

The Imperial and royal consul-general,

F. STOCKINGER.

[Seal of the consulate.]

EXHIBIT No. 7.

Translations of three letters from the Millennial national committee at Budapest.

[Letter No. 1.]

No. 1164.] Millennial National Exposition, 1896, office of the exposition director.

HON. MARCUS BRAUN,
103 First Avenue, New York:

We take great pleasure to inclose herewith for your kind information and subsequent use, printed proofs of all our cuts we had made up to date, with the sincere request to make the best use of the same.

Thanking you for the interest which you have shown, and soliciting also for the future, I beg to remain,

Respectfully,

SCHMIDT,
Ministerial Councilor and Director of the Exposition.

BUDAPEST, January 13, 1896.

[Letter No. 2.]

No. 11646.] MILLENNIAL NATIONAL EXPOSITION, 1896.
OFFICE OF THE EXPOSITION DIRECTOR,
Budapest, January 13, 1896.

HON. MARCUS BRAUN,
First Avenue, New York:

Inclosed we take pleasure to send you herewith the latest little booklet for the purpose that you might kindly use it either in lectures or for newspaper items. We think that it would help considerably the cause of our Millennial Exposition if you would work out the material contained in this booklet and see to it that it should get the widest possible circulation in order that the public's attention may be properly drawn to our country and our exposition.

For your patriotic hard work we express our most sincere thanks, and we hope that we shall greet you here on the occasion of the opening of the exposition.

I remain, most respectfully,

SCHMIDT,
Ministerial Councilor and Director of the Exposition.

[Letter No. 3.]

No. 14709.] MILLENNIAL NATIONAL EXPOSITION, 1906,
OFFICE OF THE EXPOSITION DIRECTOR,
Budapest, March 12, 1896.

HON. MARCUS BRAUN,
Editor and Publisher of the Hungarian American,
1441 Broadway, New York:

Acknowledging your favor of the 14th of last month, I wish to thank you for your multilateral literary activity, brought forth so unselfishly in the interests of the National Millennial Exposition. Under this cover I forward to you the autograph that you desire to have for your great millennial issue, and beg to advise you that in our sphere of activity we will do all that is possible to make those invited to contribute to comply with your commendable request, and also, in an official way, we shall propagate the enterprise you are planning.

Respectfully,

SCHMIDT,
Ministerial Councilor and Director of the Exposition.

EXHIBIT No. 8.

Translations of letters of two cabinet officers of Hungary.

[Letter No. 1.]

To the honorable editor of the
Hungarian American, New York:

His excellency the royal Hungarian minister of national defense received your letter, and in reply thereto instructed me to send you the herewith inclosed photograph of his for kind use.

With distinguished regards.

Yours respectfully,
BUDAPEST, February 28, 1896.

ANDOR TALLIAN.

(This letter is from the then minister of national defense and the present premier of Hungary, Baron Fejervary).

[Letter No. 2.]

VERY MUCH HONORED MR. EDITOR: Under instruction of His Excellency Alexander Erdelyi, minister of justice, I have pleasure to reply to your favor of February 12, and to inclose herewith his photograph.

Simultaneously I give herewith, in a few lines, his biography.

Alexander Erdelyi, born 1839, became after he was admitted to the bar a clerk of the county of Pest; was later advanced to deputy county clerk and later on as chief clerk of the county. On July 19, 1870, he became clerk of the superior court, and in 1871 he was permitted to be judge of the royal civil court of Pest. He became supreme court judge in 1875, and in 1886 was called to the highest tribunal of the land as a judge. He was transferred in 1891 as president of the royal court at Győr.

The that time minister of justice, Desidarius Szilagyi, recognized his manifold abilities, appointed him as state secretary of his ministry on August 8, 1892.

After the withdrawal of the Wekerle Cabinet on January 15, 1895, the King appointed him minister of justice.

During the time that he was state secretary of the ministry of justice, he was a true collaborator of the Minister Szilagyi, and labored unceasingly for the Hungarian legal reforms.

During his tenure of office of minister of justice, the most important law that was enacted is the obligatory civil-marriage law and the changes in the inheritance law.

He also drafted a new criminal and civil procedure, which will be brought before the House of Parliament at one of its next sessions. He set for himself a very lasting monument by bringing about the appointment of the commission to codify the Hungarian privy rights.

In expressing his excellency's most sincere thanks for your kindness, and acknowledging the receipt of your beautiful magazine, I have the honor to remain,

Your obedient servant,

GYULANYI LAJOS,
Councilor of the Minister of Justice.

BUDAPEST, March 29, 1896.

EXHIBIT No. 9.

Three tickets connected with the millennial festivities.

[First.]

The Millennial National Exposition of 1896, which is arranged under the protectorate of His Imperial Royal Apostolic Majesty Francis Joseph the First, invites to the festive opening of May 2, 11 a. m., Mr. Marcus Braun. Seat on Press Tribune No. 5.

Signed on behalf of the royal Hungarian minister of commerce, as the president of the National Millennial Exposition.

SCHMIDT,
Ministerial Councilor and Director of the Exposition.

[Second.]

No. 201.] MILLENNIAL NATIONAL EXPOSITION COMMISSARY.

From May 3, 1896, to June 30, 1896, for Mr. Marcus Braun, the New York World newspaper representative.

Valid permanent ticket for the visit of the territory of the Millennial National Exposition of 1896.

Must be shown when requested.

BUDAPEST, April 27, 1896.

SCHMIDT, Director.

[Third.]

No. 1596.] ROYAL HUNGARIAN STATE RAILWAYS. 1896—First class.
Mr. Marcus Braun, representative of the New York World.

LUDVIGH, General Director.

EXHIBIT No. 10.

[Translated from the Hungarian language.]

HUNGARIAN RELIEF ASSOCIATION OF MUNICH,
Munich, May 20, 1906.

Mr. MARCUS BRAUN, New York.

DEAR MR. BRAUN: In reply to your letter we are glad to comply with your request, especially for the reason because we have together worked hard in 1890 for the prosperity of our association and because we have kept you in friendly remembrance ever since. Should fate guide you once more among us, we shall be glad to renew our friendship, not only the eight of us, who know you since 1890, but all of our members, who know your merits by the resolution of thanks embodied in the minutes of our proceedings in 1890; we should be all glad to count you among our members.

It is but natural that we should gladly comply with your request, and we state with pleasure that we count you among our good and pleasantly remembered members, that to our knowledge you owe nothing to either the relief association or to any individual member thereof. To this we will always cheerfully and in any form testify, and we only hope that you will neither in the present nor in the future be in need of such testimonial, since it is we who are your debtors on account of your merits in behalf of our association.

We close this letter, written in the name of the Hungarian Relief Association of Munich, hoping that you will honor us with a visit whenever you should happen to pass this way. With patriotic regards,

[SEAL.]

DESIDERIUS ZOCHOR, President.
BELA NAD, Secretary.

For the purpose of identification of the above signatures of Mr. Desiderius Zochor, president of the Hungarian Relief Association, and Mr. Albert Nad, secretary, who are personally known to me.

Munich, May 21, 1896.

For the Imperial and royal Austro-Hungarian consul.

[SEAL.]

MILTER.

EXHIBIT No. 11.

SUNDAY, November 17, 1896.

MARCUS BRAUN, Esq.,

Nagy Korona Street, No. 4, II Floor, 23.

DEAR BRAUN: I made an engagement to take you to M. Daniel, minister of commerce, at 4 o'clock to-morrow afternoon. So be at consulate at 3.30.

Yours, truly,

E. P. T. HAMMOND.

EXHIBIT No. 12.

[Decision.]

Marcus Braun, private complainant, against Victor Halasi.

Libel action No. 76262/B. 96, and entered regularly. There is to be held concerning the accusations contained in the complaint, on February 11, 1897, at 3 o'clock p. m., a public jury session. For this purpose there is delivered with this decision to the parties of this action a list of the jurors summoned to act.

The libel division of the royal criminal court. Budapest, 1897, January 16.

TZITVAY,
Presiding Judge.
Dr. DULMAR,
Secretary.

[Seal of the court.]

[On outer fly leaf:] No. 76949. No. 189. Report of a public session to be held in the libel suit of Marcus Braun, private complainant, against Victor Halasi, for the purpose of drawing the jurors.

Dr. DESIDERIUS OLAH,
Attorney, V Dorottya Street, 6.

EXHIBIT No. 13.

[91908. No. crim. 1897.]

In the name of His Majesty the King, the royal criminal court of Budapest, as a trial court in libel matters, has, on the day date below written and in the matter of the libel suit brought by Marcus Braun, as private complainant and represented by Dr. Desiderius Olah, attorney, Budapest, against Victor Halasi, represented by William Varsonyi, attorney, Budapest, brought the following

DECISION.

The royal press juridical court herewith discontinues, based upon sections 268, 110, and 116 of the criminal code, the criminal libel suit presented by Marcus Braun, private complainant, under No. 76262/96, in which complaint of his he, based on section 258 of the criminal code relating to slander and of section 261 relating to defamation of character, had sued for redress; and of this decision he and the attorney for the defense, Victor Halasi, are forthwith to be notified.

ASSIGNMENT OF REASONS.

In the daily newspaper Magyarorszag, dated 1896, July 4, No. 183, there was contained under the heading "Daily news" a notice, designated "Marcus Braun," the contents of which, it was complained, were according to section 258 of the criminal code libelous, and according to section 261 defamatory, and for which a private complaint was lodged on November 28, 1896, under No. 76263/96, against Victor Halasi, and to which complaint on November 6, 1897, under No. 74643/97 of the criminal court records, and to the private complainant delivered on November, 1897, a decision calling upon him to present the judicial bill of complaint and his interrogatories, what to do however he had failed. Therefore, according to a proscription of the ministry of justice dated 1867, October 1, and No. 733, subdivision 5, the complaint must be considered to have been withdrawn and the further proceeding herein is, according to sections 110 and 116, ended.

Budapest, the royal criminal court sitting as a trial court in matters of libel, December 31, 1897.

[Seal of the court.]

F. ZSITVAY,
Press Matters, President.
RONAI EMIL, Secretary.

To DESIDERIUS OLAH, Attorney.

EXHIBIT No. 14.

[On fly leaf, front:] Rubber stamp: Royal Hungarian criminal court, entered 1898, March 18. No. 21847.

To the honorable royal criminal court, Budapest. Petitions of Marcus Braun, in his matter against Victor Halasi, for the delivery to him of copies of the minutes of the testimony of witnesses taken. 91968/97 pthy. Rubber stamp indorsement: Dr. Desiderius Olah, lawyer, Budapest.

[The petition within:] Honorable royal court: Having need of the minutes of the testimony taken in the libel suit by me against Victor Halasi, desiring to produce them in America, I make through my attorney, heretofore already duly identified, the request that their copies might be delivered to him. Respectfully, Marcus Braun.

[On fly leaf, rear:] Decision. 2187, crim., 1898. The petition of Marcus Braun, private complainant against Victor Halasi, libel suit, before the Roy. Press matters court, for the delivery to him of the copies of the minutes of testimony taken, is herewith rejected. Because the testimony taken in the course of the examination is under the decision of the court and in the course of the trial and for its purposes at the disposition of the parties of the suit, but this action has not been submitted for final judgment, and the proceedings having been discontinued, and the demand for the copy of the testimony taken is made without any reasons being assigned, and therefore can not be granted.

Budapest, March 26, 1898. Press matter session.

[Seal of the royal crim. court, Budapest.] ZSITVAY,
Present Justice, Press Matter Justice.
N. ZUNAND, Secretary.

To DESIDERIUS OLAH, Attorney, Budapest.

EXHIBIT No. 15.

[Translation.]

Braun-Nemzet. 53756/96. Libel suit of Marcus Braun against Nemzet. Verbal proceeding. Decision received 96/X Mr. Fischer (ordering an investigation). Decision. 62957/96. Gapárl names Alexander Hecht as the writer of the article.

Minutes of examination: Alexander Hecht acknowledges to be the author of the article. Demands that the doings of B. in America be

examined through the consulate. He has been informed that at this time B. is under criminal charges and that the Hungarian Society has expelled him for being guilty of blackmail. He desires to prove that B. has absconded from Munich with the proceeds of an entertainment of the "Ungar Verein," and that he has misappropriated moneys of Banker Politzer.

Continued 20/III 97. Demands the examination of Dr. Gerster for B's exclusion from the New York Hungarian Society on account of larceny; the furrier, Géza Horvath, from whom he had stolen fur goods and a gold watch and chain; Julius Firemann, a reporter and the draftsman of the World, to prove that B. had claimed here to be the representative of the W.; Charles Takács, from whom he attempted to borrow ten dollars, and because he did not get it he attacked him in divers blackmailing newspapers; Peter Vay, an inhabitant of N. Y., whom he wrote up because he could not get from him two dollars; Ignatius Weltner, whether it be true that he, B., had stolen 70 mark from the society in Munich, or from the president, Mr. Zochor, a gold watch, and how he ran away from there, or the original of the letter containing these facts; demands further the exam. of Philip Freund, Fr. Bossanyi, and Stephen Dobó, why had he been excluded from the Hung. Society; Max Schwartz, banker, about the larceny of 70 mark and a gold watch; Louis Ujzab, to whom B. went with the complaint that the members of the Hung. Soc. had torn down the picture of the King of Hungary; Anton Pallicock, the former chief comm'r of Austria at the Chicago Fair, how B. had been committing divers blackmailing operations; Stephen Dobó, about his report to Baron Febrváry (deserter from army); demands the exam. of Herman Bühm, what deceptions and cheats B. had practiced at the Chicago Fair, and for this same purpose demands the examination of Etienne von Scanavi.

Examination of witnesses, taken 25/III '97. The witness Zochor, watchmaker, to the merits. The Hungarian Society had arranged in October '89 or '90 a Vintage festival. I do not know any more where the necessary printing matter had been printed, they did cost about 60 marks, although an agent of the printer's office, a certain Levinger, had said the money is presented to us. A few days later, nevertheless, there came to us from the printing office a bill for 70 mark for these printed matters. We left back in the hands of Mr. Braun 70 marks to pay this printing bill. All at once I heard Mr. Braun not to be any longer in Munich, and not very long after the society received from the printer another bill; this one, however, we did not pay. Early in '96 or the last of '95 I received from Braun from America the 70 mark and a letter, later another small sum which he owed me. Who is the Politzer named in the requisitions of the 5th of this month or where he resides is unknown to me.

Taking of testimony 13/III, '97. The witness Politzer. Neither I nor any of my two brothers living here are bankers, we do not know M. B. nor do we know who the banker Politzer might be. About 17 years ago I knew here a lottery agent B., but he did not injure me or my brothers.

The examining judge sets aside the decision to gather proofs as to the charge of military desertion, because they are not connected with the pending matter.

The response of the consulate at Zurich: Mr. B. is, from the time of my official work at Chicago, as a man of bad repute in my memory, who attempted to use his position as a journalist to levy blackmail, but I know nothing personally nor any details, inasmuch as all these informations were received by me mostly from Mr. Etienne von Scanavi.

Minutes taken at the I. and R. consulate-general at New York 26/VI 97.

1. Geza Horvath: He resided in my house, but never committed any crime. There was no larceny committed at my house.

2. Dr. Bossanyi: To my knowledge, M. B. was expelled from the Hung. Society for the reason because the response of the Munich Hung. Society, in response to the inquiry of the N. Y. Society as to B's individuality, had not been favorable to him. He, the witness, has heard from others that B. had misused his position as a journalist and has squeezed money out of people, as from Mr. Carl Poringer.

3. Weltner (Ignatius): The facts stated in the questioning statements of the examining magistracy at Budapest are true in full. He attaches the letter of the Munich Society and the minutes of the New York Hung. Society. (See below the translation of these extr. of the minutes.) At that time he, witness, was the president of the society. B. attacked the society, without any cause, in the German papers of New York and the police newspapers of Budapest. B. showed, in Oct., 96, the letter of the president of the Munich Society, which he refers to as his vindication, but in that letter the fact of misappropriation and of theft are not rebutted. I wish to state that Horvath has told me in presence of many people that B. had stolen from him fur goods and from his wife a watch and chain, and that the fur goods were found by Horvath in B's possession, who admitted the theft and made the loss good.

I. (Translation of the Munich letter.) Munich, 96, 23/III. M. B., journeyman tinsmith, formerly member, ran away with 70 marks. Besides this he has caused losses to others; from me he took a watch which he forgot to return; there are such who have been injured by him to 100 marks even. From here he went to Paris, whence similar news came, etc., etc. Desiderius Zochor, Pres.

II. The minutes contained in the letter of the examining magistrate, and which is the basis of the article in the Nemzet, and which has been sent to me is a true copy of those minutes.

STOCKINGER, Consul-Gen'l.

Stephen Dobó, member of the Hung. Society, testified: B. has been excluded from the Hung. Society by reason of the information received from Munich and other places, because his character did not respond to the requirements of the statutes and laws; furthermore B. had attacked in German blackmailing journals the patriotic efforts and aims of the society, and had abused the members of the society and the participants at the society's festivals and ridiculed the program simply because he did not receive the advertisements, and the society, not to aid such as he, would not give it to him. He had heard from Furrier Horvath, in the presence of John Marko and Samuel Weiss, that B. had stolen his H's fur coat and watch, and Horvath declared of being amazed that B. leads a leading rôle among the Hungarians of New York; when witness I. demanded from Horvath a written statement of B's doings, I. refused, stating that he has been settled with fully and that B. even helped him when he was out of work.

Vay Peter: The matter does not stand entirely thus. I stood in good relationship with B. until I had a disagreeable private affair which B. published in a garbled form in a local paper. Before publishing this story B. had called repeatedly at my house, but did not find me. After the publication I held B. responsible and B. responded, "I was repeatedly at your house to see you; I could not find you; you did not

pay, and I reported the case." When I told this story in a society it caused no astonishment. I was told he had done this to others, and I was told that he had robbed Horvath.

Marcus Schnitzer knows of the larceny of B. only so much that at one time the president of the Hung. Society had shown him a letter from the pres. of the Munich Hung. Society wherein B. had been charged with larceny and misappropriation.

Dr. Árpád Gerster, the honorary pres. of the Hung. Society, had never any knowledge of the matters and can give no information whatever concerning it.

Minutes taken 99 15/IV at the Hungarian Society meeting: Ed. Wurmfold calls the attention of the society to the fact that B. attacks the good name of the society and demands his expulsion.

Minutes taken at same place 22/IV 96. Inasmuch Bertalan Nagy, E. W. and Simon Steindler positively know that B. is bent to injure our society and has libeled the society in German and Hungarian newspapers, he has been expelled by a vote of seven majority. Braun-Magyarország. Libel suit of M. B. against Mogyss and Hollo.

Minutes 6/XI 96. Victor Halasz is the author of the article. The information published was taken from the Nemzet. Assumes responsibility only as a copyist or reporter. Does not know B. and therefore could not have charged him with the matter. Ladislaus Inczedi, ass't editor, has called his attention to the article. The manuscript of the article he recognized as his handwriting.

Decision upon complaint 12/11 97, was amicably compromised.

EXHIBIT No. 16.

AN UNVEILED GOVERNMENT COMMISSION.

The press bureau of the police department publishes the following as the declaration of Detective Hugo Kalmár:

The notices in some of the daily newspapers concerning myself, namely, to have opened the letters of Marcus Braun and have followed him on his voyage to Vienna, are slanderous from beginning to end. It is true that I, who have resided in the Hotel Hungaria since many a year, know Marcus Braun, who arrived in the month of April with one Edward Löffler—a man who has been sought for by the police for fraudulent bankruptcy—and who has taken apartments at the hotel hereinbefore mentioned; know him as a dangerous swindler, who misused his acquaintances in America and his connections to blackmail them, and who is living there by swindle and fraud. I began to interest myself, therefore, in Braun, and in accordance with my duty I followed with interest his life here, the grounds of his being here, and watched his connections in this city, which, I admit, might have been to him, who has reasons to cover up his deeds before the police authorities, disagreeable, and must have imbued him to spread lying reports. As to the individual and as to the questions as to who Marcus Braun is, let there be reprinted here a letter of the Hungarian Aid Society of Munich, dated March 23, 1896, in response to a letter of the presidency of the New York Hungarian Society, making inquiries about Marcus Braun:

DEAR COMPATRIOTS: In response to your respected lines of the 11th instant I have the pleasure to inform you that Marcus Braun, journeyman tinsmith, of Budapest, was in 1890 a member of our society, and toward the end of October, 1890, he ran away with 70 marks of our society's money. Besides these 70 marks, he injured seriously many other Hungarians. He had forgotten to give me back a watch which he had borrowed, and there are such persons whom he injured to the tune of hundreds of marks. The honorable presidency would oblige me very much if you were to hand him the inclosed list of names; perhaps he might make good the sums he had stolen from the society. From Munich he went to Paris, whence at that time similar news had gone about him, from which I could not gain the thought of his having commenced to lead a new life. In Munich he played the rôle as his interests required, as tinsmith, as a lottery agent, or as a reporter, etc. I do not cheerfully proclaim the errors of youth, but I regard Mr. Braun to be mature enough to be conscious of the fact that his acts are not compatible with the requirements of honesty.

With patriotic, friendly greetings, I am,

DESIDERIUS ZOCHOR,
President of the Society.

From Paris Marcus Braun sailed to New York, where, in consequence of a libel suit which Marcus Braun had begun before the Budapest royal court, which, however, later on, before the final trial had taken place, he had withdrawn, divers witnesses' unanimous testimony shows that one Geza Horvath had accused Marcus Braun, in the presence of various inhabitants of New York, to have stolen from him a fur coat and from his wife a gold watch and chain. The fur coat had been found in his house. Braun admitted to have committed the theft and made the loss good, for which Horvath, at the prayer of Braun, abstained from making a complaint. The numerous witnesses examined in New York, at least a majority of them, characterized Marcus Braun as an ordinary adventurer. And such a man dares to attack me, who has been for many years in and has served with honor the state police department of the capital.

HUGO KALMÁR.

In this same matter the Budapesti Tudosito has been authorized from competent sources to publish the following:

"It is not true that Marcus Braun, alleged American Government commissioner, had appeared before minister president to make a complaint there. The American consul-general reported yesterday by telephone to the officials of the ministry of the interior the transgressions allegedly committed against Braun. The minister president received his information from hearing of the complaint of Marcus Braun through this official of the ministry of the interior, when he immediately called upon the police department for an explanatory report. To Marcus Braun, however, there had been given by competent authority the advice to make a criminal complaint against the detective."

Marcus Braun makes the following declaration concerning the foregoing:

"The press bureau of the police department published to-day a declaration of a detective of the State police wherein he heaps defamatory abuse upon me. Inasmuch as I am in Hungary on an official mission as the immigration inspector of the United States, I had, through my ambassador, immediately made report to the American Government about the attack on me attempted. It is therefore impossible for me to take notice of the single details of that article until I should have received instructions from my Government concerning the atonement for these daring and unheard-of insults. True to the facts, however, I must state that the detective giving to the public the certain article

is identical with the person whom I caught at the hotel examining my letters and whom I then and there publicly held responsible.

"MARCUS BRAUN,
"Immigration Inspector of the United States."

EXHIBIT No. 17.

AMERICAN CONSULATE-GENERAL,
April 26, 1905.

Recommendation by which I have the pleasure to recommend to the good will of whomsoever it may concern, Mr. Marcus Braun, American Inspector of Immigration, who, according to his commission, issued to him by the Commissioner-General of Immigration at Washington, countersigned by the Assistant Secretary of Commerce, and dated C. M. the 28th, and bearing No. 465, has been sent to Europe to study the emigration from here to the United States and to report thereon.

For all friendly assistance, please to accept, in advance, my sincere thanks.

With eminent esteem,
[Seal of the consulate.]

FRANK DYER CHESTER,
Consul-General.

EXHIBIT No. 18.

DEAR MR. BERKOVITZ: The sample copies of your honorable newspaper, which until now you had sent me, I received. I have read them carefully. I thank you very much, your amiability, and I promise to be always your ready servant.

Now, however, allow me to reflect upon your issue, No. 150, of June 30 of the running year, wherein you write not to have given credence to the charges made against Marcus Braun. You are greatly in error, Mr. Berkovitz, because those charges are not false, but they are pure, exact truths, namely, Marcus Braun had stolen, misappropriated, and cheated. These he might deny, but nevertheless they are facts and are true. This circumstance I am ready to anyone at any time and with official documents and by the requisition issued by the royal prosecutor of Budapest, which directs his apprehension for divers thefts, defalcation, and fraudulent transactions.

Braun, knowing these things, escaped from his then residence, No. 8 Haynal street. It is true that these crimes have long ago been outlawed, and the brother of Marcus Braun, Darius Braun, who is well known to the police, informed Marcus Braun that under these circumstances he might come back, and it was fortunate for Marcus Braun that at that time he was not apprehended, or he would have tasted the air of the prison. These are the facts, as I already mentioned—sacred truths.

You write that his enemies say of him that he has committed divers thefts, defalcations, and frauds. I am not an enemy of Braun. I only write these things to you because I know of your fighting for the truth and you proclaim this; therefore somebody probably must have been misleading you, and you gave him credence. I have already mentioned, and it is a fact and the truth—anyhow, I have published these things here officially in all of the daily newspapers of Budapest on May 11, this year, through the channel of the police bureau. Marcus Braun read this here in Budapest, but he did not do ought but to deny them, although I expected that for public defamation he would begin an action against me, and my superiors earnestly advised him to do so, and I myself—I very much would have liked him to sue me; at least he would have given me opportunity and chance to prove it before the forum of the court that he has stolen, misappropriated, and defrauded, and is thus but a common cheat, over whom the police must, indeed, keep a watch. Therefore, as I already have said, that I well know of your fighting for the truth, and you proclaim it, I pray very much to publish this declaration of mine in your honorable journal. Let it be known in America who is Marcus Braun, or if dear Mr. Berkovitz, for any reason, could not grant me this request, then I earnestly beg of you to inform me at once, appealing to your good friendship; because then I, only in the interest of truth, will send in English language, will send to the New York newspapers, with the explanation that I am not at all guided by any vindictiveness.

In conclusion, I inform you that I could write very much more about Marcus Braun's scoundrelisms, anyhow. I am working upon a pamphlet of which I will send a copy to the President of the Republic, wherein there will be set out the deeds of scoundrelism of Marcus Braun in his native country and in Europe, so that if, indeed, he be an employee of the United States, that he has cheated even his own Government, of which I have proof, and he is capable to defraud all America, together with the President thereof.

And now allow me to turn to you with a prayer. Alexander Braun, a brother of Marcus Braun, of Budapest, 22 years old, here lately clerk in an office, after defalcating 1,600 crowns, ran away last year to America to Marcus Braun. I am instructed to look for him and apprehend him. I request you very much, dear Mr. Berkovitz, to write to me whether you know this miscreant, whether he is there in New York with Marcus Braun, and whether in some way this scoundrel could be arrested.

After all these, I pray your indulgence if I have intruded on your time too long, but knowing your good will to me, you will not be angry at me.

Your favor of a reply awaiting, I remain, with sincere and friendly greetings,

Your devoted friend and ready servant,

HUGO KALMÁR.

EXHIBIT No. 19.

GRAND HOTEL HUNGARIA,
Budapest, August 25, 1905.

HONORED MR. BERKOVITZ: Your honored letter of the 4th instant I have received. I make bold to make this reply. I very much regret that you think of not having sent the police reports for the reason because I have begrudged the putting on them the expense of the postage stamps. You are greatly in error, because the police reports have ceased to be published with the 1st of June; now are published the Police Journal, and these are published by the ministry of the interior.

And now allow me honored Mr. Berkovitz, that I might turn to the doings of Marcus Braun, I do not reflect upon his political actions, but now, as I did before, I again maintain that he had stolen, defrauded, and cheated. I greatly regret, however, that I can not send you my complete proofs, because they are in part deposited in the archives of the royal court at Budapest and partly in the archives of the Budapest police department deposited as official documents, and from them to take or legalized copies to take is not possible, but here in Budapest

I am writing to justify my allegations to anybody, and I annex a police requisition from the year 1891, wherein he is being sought by the Budapest royal court for the crime of fraud and orders his arrest, but he had then escaped already, and thus was freed of the prison.

You, honored Mr. Berkovitz, write in your letter that Marcus Braun is not a cheat, but I think I have proven that he did cheat, and I also can prove that he has stolen and misappropriated. You furthermore write that Braun was in Budapest in 1894, 1895, 1896, and 1899. That is very possible, but he had come here secretly, and the authorities have not learned of it or else he would have been apprehended. Lately we have ascertained that in 1899 he had been here with a certain Kiralyi, under an assumed name, and has taken girls out to America, and inasmuch as this is only a misdemeanor it became outlawed in a year.

And now, dear Mr. Berkovitz, permit me reflect upon that declaration of yours which you write in your letter, that Braun would be a lunatic fit for a strait-jacket if he would resign from his position to sue me and to seek his honor. This, in my opinion, is a very sorrowful and pitiable condition of things, if a man does not sacrifice his position to save his honor, because I think that positions in life a man can get plentiful, but not his honor, and I do believe that you, too, believe me when I declare that without honor a man's life is not worth anything.

But just now the thing comes to a focus, because these days I read in Budapest, Vienna, and Berlin newspapers that Braun has been relieved of his position. True, certain newspapers have written that it was proven what the police of Budapest had said, that Braun had stolen, defalcated, and defrauded, while certain newspapers reported of he having resigned because he would have had to carry uniform. Well, this last, I believe, not even the bell ringer of the Therese district will believe him, because a man who defends himself therewith that he does not seek vindication because he would have to resign from his position, but who does resign on account of his uniform he would have to wear, that is a very nice alternative. In the paper of the 11th instant you had sent me, I also read that Braun had resigned for the reason because he did not want to wear a uniform with bright buttons, but, Mr. Editor, you had added thereto that Braun had at one time worn bright buttons for Francis Joseph. Concerning this I inform you that Braun had been honored private in the First Honvéd Infantry Regiment, but there he conducted himself as in private life, he became a fugitive, for which he was already in 1888 hunted and his arrest ordered. I inclose herewith a police requisition wherein he is shown to be placarded.

Dear Mr. Berkovitz, I do not wish to continue this writing. I believe I have half way justified my allegation—entirely I will prove it in my pamphlet—but you can tell Braun, with whom I am told you stand on good footing, that I am to his disposition; now he has no position, now he can sue me; let him come here, and let him face me before the courts that I may prove of he having stolen, cheated, and defalcated.

And now I repeatedly request you, dear Mr. Berkovitz, inasmuch as you write of being ready to serve me in any manner, to tell me whether Alexander Braun, the brother of Marcus Braun, who last year had misappropriated 1,600 crowns and ran away to New York to Marcus Braun, be in New York, and how he could be apprehended.

Now, I beg your pardon if upon your valuable time I have intruded, and I promise to be ever your ready servant.

With special esteem and patriotic greeting,

KALMAR HUGO.

EXHIBIT No. 20.

Translation of sections 22 and 24 of the laws of 1879, entitled "The obtaining and forfeiting of the rights of Magyar citizenship."

SEC. 22. Those persons liable to duty in the army as regulars or as reserves may be discharged from the bonds of the State of Hungary only if they had received from the common minister of war a letter discharging them from the army duties, and the national guardsmen if they receive such a letter from the minister of home defense.

Those persons over the age of 17 years, who are not liable to the above-described army duties, but who are not finally absolved therefrom, may be discharged from the bonds of the State of Hungary if they can prove by the certificate of the proper county authorities that they do not request their discharge for the purpose of escaping military duties.

SEC. 24. The discharge for the bonds of the Kingdom of Hungary can not be denied in time of peace for causes other than those contained in section 22 to anyone who proves—

1. That he has the right to act for himself or that his father or his guardian or committee of his person or property, with the approval of the board of wards, joins in his petition.

2. That he is not in arrears in payment of State or town taxes.

3. That he is not under criminal investigation in the territory of the lands of the Hungarian Crown, or that there was no sentence of any criminal court against him which remains unexecuted.

STATE OF NEW YORK.

City of New York, County of New York, ss:

Dr. Géza Kun, being duly sworn, says: That between 1894 and 1905 I was a practicing attorney at the city of Budapest, Hungary, having been duly admitted to the bar in 1894; that I am familiar with the English and the Hungarian languages, and the foregoing translation of sections 22 and 24 of the laws of 1879 were made by me from the original Hungarian text; that such translation is in all respects true and correct to my best knowledge and belief.

Dr. GÉZA KUN.

Sworn to before me this 24th day of January, 1906.

SAMUEL ROSENTHAL,
Commissioner of Deeds, New York City.

EXHIBIT No. 21.

Answer to Marcus Braun's American commissioner's newspaper attacks upon me. Written by Alexander Hajos. Price, 20 filler. Purchasable in tobacco shops.

To the Magyar public:

The Nap, in its issue of the 14th instant, accuses a man by the name of "Hajos" to compromise Marcus Braun, American immigration commissioner, with defamatory letters, and to have given to Detective Kalmar, in the matter against Braun, untruthful statements. This Mr. Hajos had been a member of the Munich-Hungarian Society, and stood there in the center of many scandalous things. Finally, Hajos has flooded the American authorities with letters defamatory of Braun, which even had come into the hands of Roosevelt, the President of the Republic.

It is true I know Braun personally since June, 1892, when he had come to New York, and have occasionally met him there. I published there, on account of his blackmailing operations, a very sharp article, for which, at that time, he began a libel suit against me; but it is also true that he thought it advisable to drop the matter before trial, because he well knew, to have collected against him very many weighty proofs, which proofs are deposited in the archives of the criminal court of this city.

Thus it is easily understood that the attacks of the Nap I must regard to have been directed against me, and I must, to my sorrow, assume them.

But it is not true of ever having been in Munich, and therefore it is clearly visible that I never could have stood there in the center of any scandal. Considering the accusation of having given to Detective Kalmar defamatory letters about Braun, it is a stupid falsehood, because I see the police found, without any aid of mine, the compromising documents deposited since 1897 with the criminal court, and which date from my law case.

The documents at the criminal court officially prove that Braun had stolen and misappropriated, had throughout years lived upon blackmail and many-sided revolver journalism. Thus, what for any compromising letter? But, if Mr. Braun should desire them, I can serve him. But they are not letters, but authenticated data as to his dishonorable mode of life, of newer date.

What concerns the accusation of being such or such slanderer, the writer of the article of the Nap and of the Fügő Magy will have to respond thereto before the Press Tribunal. The latter newspapers at least, have spared me to the extent of having only mentioned me in general only as a slanderer.

That I have flooded the American authorities with defamatory letters concerning Braun and these even reached the hands of Roosevelt, the President of the Republic, is a matter for which I will turn for redress to our ambassador at Washington, Mr. Hengelmüller.

At the time when Braun attempted to blackmail the directory of the Millennium Exposition, respectively the Hungarian Government, to the tune of \$15,000—75,000 crowns, the Pester Lloyd, the credibility and seriousness of which is recognized even in foreign countries, declared Braun, in an official declaration, to be a blackmail operator. But Braun did not yield. He threatened he would attack the exposition and the Government in foreign newspapers, and which will be proven in this pamphlet. In consequence of this, I, knowing him, thought it to be my duty for the public welfare, to air his American past career in the semi-official Nemzet, the seriousness of which newspaper is likewise not to be doubted.

I fought him with open visor. In detail I proved that he is everything except an honorable man. He remained silent or rather said he stopped the libel suit he had begun. Thus in my article, which as is also the article of the Pester Lloyd, here reprinted in full, he is laid low morally. Therefore what other need have I to attack him, when with easy method, in the interest of the public, I have already conquered over him morally? In truth, I would but prepare a certificate of moral poverty for myself, if against this morally dead man I would fight a combat. It is evident that these rumors of my having sent to the American authorities defamatory letters are gigantic lies, such as only Braun can tell.

My belief is strong that President Roosevelt, who is mentioned here, will respond truthfully, even if by his response he would hurt his man. But if perchance—what I do not suppose—the very esteemed Mr. President would refuse to give explanation, then I will ask him through the London Times.

I am further with my personal reputation. In my life I was forced only once, and then by Braun, to wash his dirty linen—what he was made to feel sufficiently. Now I can sufficiently wonder how Braun, knowing of being in the lurch, should, after nine years, arouse me out of my rest. Why does he pick at me? Why does he force me to reckon with him once again before the public? I do not understand it. It might be that it hurts him that the documents by me collected and deposited with the court have been hurled at his head, but anybody could have looked into those documents.

That he is the author of the newspaper attack against me is visible from the fact that since years I have nothing to do with newspaper writing; formerly, too, I but wrote occasionally—as graduated agricultural economist I wrote upon subjects of my calling. I have absolutely no acquaintanceship in newspaper circles, so that he must have begun the chase. The "Nap" again is his mouthpiece; he commenced therein on the 11th already, and in a three-column long article, his attacks upon the police, although it is plain that Mr. Rudnay had been willing quietly to accord him all the satisfaction; but this grand master of the scandal mongers wished to shine before all of the world. Thus did I come, too, in the dark "Nap," and it is beyond doubt that I was dragged into it by the still blacker Braun.

I publish here verbatim the articles of the Pester Lloyd and of the Nemzet. The earnestness, the credibility of these two newspapers require no commentaries.

[Pester Lloyd, evening edition, 1896, June 23.]

LAW-COURT NEWS—A LAWSUIT FOR NEWSPAPER ARTICLES ABOUT THE EXPOSITION.

In the circuit court of the United States, a kind of central court for civil causes in the United States, a lawsuit has been entered on a claim for \$15,000 against our exposition—that is to say, indirectly against the Hungarian Government. According to the Bond Tagbl., this is the affair: Marcus Braun, a born Hungarian, but a naturalized American citizen, who had been sojourning here in New York during the Millennium festivities, representing, as reporter, the New York daily—The World, was, as he claims, recommended about a year ago—the Austro-Hungarian consulate-general at New York making the recommendation—as the man who would be most suitable to do in America the booking thereof. The exposition commission authorized the consul-general to intrust that mission to Mr. Braun, and allowed him a fee of 50 fl. for each large and 25 fl. for each smaller newspaper article which he would put into the American newspapers. Mr. Braun took the matter in a genuinely American way into his hands, and he placed not less than 4,000 of these articles in American newspapers, for which, as he reckons it, he now has a demand of \$15,000. When at the end of May his bill, which then had already been several thousand dollars, was presented, he was paid 500 fl., and he could not receive any responses to his letters and demands for the payment of his bill.

Mr. Braun, who claims to have made, on his part, contracts with newspapers, came then to Budapest to insist upon the recognition of his claims, but everywhere he found deaf ears. Ministerial Councillor Schmidt, the director of the exposition, acknowledged that he had done great service to the exposition, but laid stress upon the circumstance that this does not exclude of him being a nuisance to the directory.

When Braun's steps at the Government proved also of no avail, there remained nothing else for him than the appeal to law, and in the opinion of his American lawyer friends, the American courts have jurisdiction in the matter. When asked how he could collect a judgment, should he get one, he responded that this was very easy, and told of a case wherein about two years ago a claim against the Spanish Government, which had been sued on and was in the form of a judgment, was collected by levying upon the first Spanish man-of-war that entered an American port.

[Pester Lloyd, evening edition, 1896, June 24.]

LAW COURT NEWS.

A lawsuit for newspaper articles about the exposition. Referring to the notice under this heading in our issue of yesterday and taken from the Bud. Tagbl. we are being assured that the Exposition Commission had not given to Marcus Braun the authority set forth in that notice. Mr. Braun collected a number of American newspapers, in which he found short notices about the Millennium Exposition, telegraphic news about the political festivities, etc., etc., and claimed for each of these "exposition articles" a remuneration which, according to our standard, is altogether out of proportion. This claim had naturally to be rejected. Newspaper clippings can be had by the thousand and the exposition commission can have them very cheaply.

[Nemzet, 1896, July 3, morning edition.]

HUNGARIAN REVOLVER IN AMERICA.

BUDAPEST, July 2.

We received the following letter, which by reason of its exceptionally interest contents deserves the attention of the Magyar public, as well as that of the Hungarians who had emigrated to America and that of the consulates in that country:

DEAR MR. EDITOR: In consequence of the news item that one Marcus Braun, an American newspaper man, demands by law the payment to him of \$15,000—that is to say, of 37,500 Austrian fl.—by the directors of the Millennium Exposition, I deem it worth while, necessary, even my patriotic duty, to say one and the other thing about that gentleman. And why? It will, in the course of what is being told here, be plainly apparent.

Incalculable is the damage which this "compatriot" journalist of ours working on both hemispheres has been causing and is still causing among the Hungarians emigrating to the United States, the number of which emigrants might exceed a round million souls.

Our daily newspapers just now publish with peculiar sarcasm the notice of the claim of Marcus Braun, alias Marc Braun, originally of Budapest, but now an American journalist, who demands of the directors of the Millennium Exposition \$15,000, or 37,500 Austrian gulden, for newspaper articles of an advertising character which he had published.

I must state here in advance that the Hungarians in the United States have since decades had the good fortune that might there as many of us or of what caliber of men might come there, all were received with enthusiasm, which, considering this dry, cold, not too fiery Anglo-American race must indeed be regarded as a marvel. It was not inquired into whether he be a Slovak or a Magyar, he was simply asked whether he first saw the light in Hungary and out of that compatriot promptly became a "My dear sir," he received support at all sides and wherever he looked for it. These conditions we might be grateful for to our revolution and later on to the famous speeches of Louis Kossuth.

This bias for us extended to every single Hungarian, which grew to be, while in search for his daily bread, for him a source of an unspeakable blessing. It is true, one or the other countryman of ours might have meanly misused his position, and for this slowly and by degrees this sympathy for us seemed to have been lessened. The press of that country dealt but very reservedly and very rarely with the Maygars of New York and other cities, everywhere living among themselves, but Mr. Braun soon, and to the sorrow of the Hungarians, very effectually changed these conditions.

This man lives exclusively on denouncing the Hungarians to the Americans—for money, of course—and under favorable conditions to revitalize, to blackmail, the Hungarians. To make his denunciations catchy and eagerly sought for by the newspapers, Mr. Braun ornaments them with divers sensational trimmings and with issues, and then gives them to the World or the Herald or whatever paper might pay most for them. It need not even be explained that the highest aim of the American newspapers is to beat one another with the publication of the most sensational and interesting news items ("item" is an article respecting a piece of news which no other newspaper has as yet published). Their truth or their influence or consequence of the publication is of no matter to those papers.

The "chronique scandaleuse" of the American press of to-day daily ruins, morally or financially, one or two or more Hungarian families, and this is Mr. Braun's merit. Before ruining the victim he has sought out, Braun first calls upon him and demands of him that of the sum which in his own (B's) opinion the victim had dishonestly earned or obtained, he be given so much and so much or else he would denounce him in the newspapers and annihilate him. Many submit to blackmail and pay so as to escape notoriety and trouble. Some pay with blows they deal to him lustily, but this does not prevent him in the continuation of his mode of life in this manner.

Thus, since two or three years, because this blissful work of Mr. Braun takes only since 1893, the American newspapers are continuously full of reports of the scoundrellism and the miserability of all sorts of the Hungarians. One after the other of the newspapers copy these accusations, and the result is that to-day the Hungarian has the meanest reputation of all foreigners amongst the Americans. Wherever he might knock for work he is looked upon with suspicion and prejudice, and he has difficulty, indeed, to secure work. If we consider now that about one million Hungarians are living in the United States, it is with horror that we look upon the work of this compatriot of ours, who misuses his position. The greater part of our immigrants from Hungary are the Slovaks from the northern country; but even they must suffer from it. According to the prevailing opinion, he, being born in Hungary, must be taken as a bad character, wanton, unreliable. He can secure work, but because he is a Hungarian he is paid meaner than his fellow-laborers working with him in the coal mines or at the oil wells.

When the work becomes slack, it is the Hungarian Slovak who is first to remain without bread. These outgoing compatriots of ours are a great economical factor; our newspapers have but lately pointed out how many million dollars do they send home annually by mail. Without any exception, every Slovak, coming back when he had been out there years, brings with him from \$600 to \$800, 1,500 to 2,000

forins, which he has saved up; he buys a piece of land; he builds a home, keeps a horse, drives a wagon. He is at home, a tax-paying citizen; he sustains the State out of his American earnings.

To-day the sympathy of the Americans for the Magyar is nil. If in American press there be something bad to say, the Hungarian is being put forth as the victim; he is guilty of everything and of anything, and of this change in the public opinion Mr. Braun has a very considerable share.

In the beginning of his American career, in 1894, Braun had handed in a clever "item" which attacked the reputation of thirty-eight Hungarians, all innocent, of course, but of whom he wanted to squeeze a dollar or two of each, but who refused to submit. At about that time the municipality of the city of New York came into the hands of the temperance people. Obsolete laws were resuscitated, the playing of cards was prohibited, but the scope of this order was not clear.

Our countrymen continued to cultivate in Hungarian coffee houses the "Tardly" and the "Kalaber," when lo, one Saturday afternoon the police enters one of these Hungarian coffee houses wherein thirty-nine Hungarian artisans were gathered, and arrests all those present, confiscated even the tables on which they had—for the lowest stakes imaginable—played.

In such cases, as it is there the rule or custom, the guests are never punished, the proprietor is usually fined \$5, and the matter is ended. Well, in consequence of this raid many Hungarians, among them myself, were dragged to the police station house, where Braun visited us. He spoke to the "pater familias" temporarily arrested, wanted to frighten them, demanded money, but they, convinced of their innocence, refused to pay.

After a few hours' delay, during which the record of the arrest was taken, we all were taken before the police court and we all were discharged. Next day the newspapers published, to the astonishment of the entire Magyar colony, the story of the life of thirty-nine absolutely innocent Hungarian people, of course put into a form and of course by our Mr. Braun, from which it seemed to appear as if some hidden, great crime had been committed. The outcry against him was great, but Braun laughed; he had received a few dollars for the item.

Such and similar happenings repeated themselves innumerable times. Braun is fishing more successfully in turbid waters, the condition of the Maygars grows constantly worse, and this is the case since that gentleman has erected his tent in New York.

His mission consists everywhere where he can to create false conditions or positions, which is pretty easily brought about among the less educated classes, and then to take advantage of this for his own use and benefit.

To this manner did Mr. Braun secure his connection with the American press, which it is to be regretted is not acquainted with the true condition of affairs and is easily misled. He makes a good living out of it, but it is often that the Magyar emigrant is made to suffer in consequence of his heartlessness.

ALEXANDER HAJOS.

The personal affair I have now finished on my part with this pamphlet. The Lloyd's official communication and the fact to have been frightened of his libel suit shows me to be right, which, however, is not much when opposed to Braun. It requires no proof that only public interest engaged me against him. We clearly see his stubbornness in the exposition matter, which yielded only when I laid bare, in its entire nakedness, his past and made it known to the public. I fulfilled a duty; I passed on, saying: "The Moor had done his duty, the Moor can go."

In the present case Braun's individuality plays no longer any rôle. To-day there can be no longer any question of Kalmár, Roosevelt, Rudny, or of my modest self. Now, it is necessary to put the affair, which, by the scandal-chasing faculty of Braun, had been by him most cleverly involved into an international matter, in such a light before the public that the same should be graspable at one view, and then the blown-up soap-bubble will burst and the old condition of affairs will, without any harm having been done, be reestablished.

Now, as in 1896, knowing Braun and the circumstances, I look into the woven web and—uncalled for, probably; but provoked by him—therefore with some justification, I help the straightening out of the entanglement.

To-day the public moral of Hungary is forced into the foreground; that must not be permitted to suffer any harm, only the boastful hero therein playing a rôle might fall.

That I arrogate to myself the right to enter into this affair might find its explanation also in the circumstances that about four weeks ago, when the newspapers announced the coming of this prominent man into our midst, I had written to one of the daily papers that this bodes no good. Let us call the attention of the paper authorities that, instead of this gentleman, let there be, in time, some one else sent here, another commissioner; but this notice of mine remained unheeded. And thus the thing happened which ought not to have happened.

A Hungarian is being insulted in a public place and is almost treated with blows. The unfortunate fellow, perchance an officer in public service, feeling his innocence, the contrary of which no one has as yet proven, complains against his aggressor. The aggressor, properly, as everywhere, had been fined. The aggressor, a prominent stranger, receives from the proper authorities guarantees that the Hungarian who it is said had opened his letters will receive exemplary punishment, naturally, however, only then, if such crime be proven him. "That is not enough," says the prominent stranger, "I want his head to fall right now." But the administration of justice does not permit that, and he does not receive that head.

The prominent stranger forthwith begins with hand and feet an attack against the Hungarian police in the form of a three-column-long newspaper article entitled "Cabinet noir," and with all power, but without any reason, he rings the bells of danger. That is understood of itself that the police of the capital could not allow this to go unheeded. This corporation, which had all the opportunity to look into the past of men, discovers in the past life of this prominent stranger serious moral defects, and lays them before that prominent stranger's nostrils.

The American gentleman grows angry and starts a noise, attempts to bring about an international conflict, into which the dignity of our fatherland is dragged, and into the center of that conflict he, by reason of his scandal-loving nature and character, puts himself. From this position I do not budge neither right nor left. But international conflicts are usually arranged that not the individual but the nation steps into the foreground. Clearing from the artificial web and wool the individuality, and we will see that our police has only punished the uncalled-for attacks of Braun. It is immaterial, then, if it happens that the police had found the very weak moral side of that gentleman, but if a fellow carries butter on his head let him walk in the shade.

In short, if that prominent stranger steps out of the self-woven web, the affair stands clearly before us and is in good order. The repulsive moral ulcers and sores make his remaining here impossible; he therefore gathers his tent and goes to Russia; he had, anyhow, the intention to go there, and we wish him a happy voyage. But no: he does not step out of the circle of the self-woven web; he remains in the center of that international conflict, and he remains there because he is inspired to do so. Some well-meaning daily newspaper handles the affair, I do not say mala fide, but does it at the cost of the prestige of Hungary, and enables the man to continue his artistic humbuggery. Let us see; probably we can help to counteract these peculiar symptoms.

Let us say, for instance, that there came to Hatzeg—a place in which I never have been—and into a quasi gentlemanly circle of that place, a stranger. This stranger is an elegant, cultured gentleman; but after six months it turns out that in his manhood days he had for years lived upon blackmail and many-sided revolverisms. Naturally he will be bowed out of good society. It is disagreeable to everybody. It would have been a great deal better if all of this had come to the light of the day before he had entered it, but it is too late. Be this as it may, that stranger no more can enter that circle. This is everywhere the same—that is to say, a loafer is a loafer, even if his true character becomes known only at a later day.

A great part of the daily press says that it fully accepts the former criminal life of Braun, but that now, as long as he is here, all is expiated; that it is immaterial to us to know what he had been, and who he had been heretofore, now that he is here it would have been the bounden duty of the ministry to regard him as a perfect gentleman and to treat him as such.

This is the salient point of the case. This man who, according to the Pester Lloyd, is morally dead, and who has blackmailed the exposition commissioners and the Banffy government, is to-day discussing with our Government authorities in matters of supreme importance. (At this place it might not be inopportune to ask whether this individual who had been rejected by a former government by reason of his bad reputation, does possess impartiality to discuss his mission unprejudiced and unbiased. The absence of his impartiality is proven by the circumstance that he now attacks me, without any cause or reason, because nine years ago in a matter flowing out of the exposition I had something to do with him, showing that the blows he received in 1896 he had not been able to forget.)

These newspapers to-day demand categorically that the leading Government circles should show deference to him and without any scruples continue to discuss matters with him.

Oh, no; this Government is our Government, and our Government can not enter into any discussion with a man who, in consequence of his past, can not receive entrance into respectable society, who by a former government and by a most prominent newspaper has been morally battered; and if this view is clear, then the whole affair stands from one end to the other clearly before me. I know that the very smallest village justice, who has any pride at all in his Magyar nationality reddens with shame to his ears should he hear that his Government is having confab with such a man as that; reddens with shame to his ears, because that man dared to blackmail our dearest institution (the exposition); reddens with shame because that man has insulted and injured our countryman.

But the Hungarian peasant would feel ashamed, even if this man, traveling on an important mission, had committed these things not in our country, but, say, in Egypt. Let it be understood and accepted as a thesis axiomatic, that a man, who, by reason of his past can not be received into a respectable private circle, is not fit to confer in matters of importance with the government of a great nation, and here it is that the public morality of Hungary must be victorious.

If this side of the case is put into the proper light, then that gentleman will again go away and all will be well. We will receive in his place another American gentleman who, though we do not know personally, but with him the government can arrange the pending affairs.

It is therefore a very erroneous proposition that an officer, be he whoever he may, having begun functions, has by doing so expiated his former criminal deeds.

It is a well-known story how at the end of the seventies Editor John Asboth laid bare the past of Councilor Count Zichy-Ferraris, and the count went away. According to the logic of to-day in those newspapers, he was not correct; he should have remained in office although formerly he had been caught stealing silver spoons. With this new logic we place into the hands of Mr. Braun a new weapon and he is smart enough to use it.

The official communication printed in the Pester Lloyd and which for nine years had not been denied has received its denial to-day. A high official of the Millennium Exposition, who enjoys, as a capacity in industrial matters and as a private gentleman, the highest esteem and respect, declares that Braun at that time had performed valuable services for the exposition and has received 6,000 crowns as remuneration.

Whatever may be said, that communication exists after nine years' silence. It can not be annihilated or disavowed. It is evidently fuel on which Braun can feed. He has with that given a kick to the Banffy Government then in office, to the directorate of the exposition, and to the official communication.

Thus to-day Braun stands before us as a man immaculate. Thus to-day the Pester Lloyd, the exposition, the Hungarian Government, etc., all Hungary is put to blame—please continue this—let all the more water flow upon the mills for Braun.

That official report of the Lloyd can not be wiped out of existence, even by the prime minister of that day.

If I were to carry this case into a personal discussion, I would ask any high-school student how is it possible to gather such great merits for an internal exposition in America which deserve to be remunerated with 6,000 crowns?

I could also ask that if some one has achieved great merits by his services for our land, for which services he presents a bill of 75,000 crowns, why is he only paid 6,000 crowns? This is a compromise on a basis of 7½ per cent. I did not know until now that the Hungarian Government pays the bills of persons who have achieved merits on a basis of 7½ per cent proposition. A compromise of debt on a basis of 7½ per cent is considered to be a fraudulent bankruptcy and the punishment thereof is the penitentiary.

I could ask a great deal more. I only ask now how does the official communication of the Pester Lloyd in 1896 cover the explanation of the former chief secretary of the commission, wherein he informed us of the payment of the 6,000 crowns? What is here disavowed? In my view it is doubtless that the Pester Lloyd is not refuted.

Under all circumstances it is a great pity that such weapons are

placed in the hands of Braun. With this he is enabled all the more to push himself to the foreground, and we might expect that in consequence thereof our land might be subjected to an international blame.

Very well, four weeks before Braun's coming here had been published in the newspapers I had an idea that his being here will not end without some scandal. I am sorry to see that my tip proved correct. After an article in the Nemzet I had promised myself to have nothing to do with him any more. At the end of my libel suit against him I received material against him from New York, but I had made up my mind not to wash my dirty linen any more.

(Thus a few years ago my attention had been called to a man named Goddard, who at that time was the secretary of Roosevelt, then the governor of the State of New York. By clever maneuvering Braun became friendly with this secretary. Through him he became acquainted with Roosevelt, and then it is said he betrayed Goddard. Anyway, Braun became the favorite of the President. Goddard did not care about the thing; he was a millionaire, and was a politician only as a matter of pastime. I neglected this whole matter and paid no attention to it out of respect to R.)

But I made an exception four weeks ago, because I saw the scandal coming and wished to prevent it. I wrote to the Pesti Hirnap and inclosed the articles of the Lloyd and of the Nemzet. I called its attention to this person who, in 1896, had been ruthlessly rejected by the Government. I wrote that it would be well to call the attention of the present Government to this man, because it will not do to see the Government enter into a conference upon important national affairs with a man of such dishonorable antecedents and a scandal monger. I declared that here it is not the question of the person of Braun; that it is a question of decency, of morality; that it would be a slap in the face of public morality in Hungary should this man be received in Budapest.

The article did not appear. True, had the article been printed I would have had to carry the burden, but it is sure that the American ambassador would have in time received from the Ballplatz, which, given with a hand in kid gloves, concerning the recall of Mr. Braun.

We would therefore have been spared the international scandal, the world would not have been the witness of the fight between our police and Mr. Braun.

Therefore, it is seen, I gave the right "tip," and probably this proves it also of having worked in the interest of the public welfare. I say "probably" because there are many who say let there be a scandal, it is no one's business. With such fatalists I do not enter into any discussion. At the most I would enter into a discussion with those who say that I had personal reasons to raise this hue and cry; to these I could easily prove of having been moved by public interests.

After this confession I am prepared to see myself assailed by the press, which takes Mr. Braun's part. I will hardly take notice of it, however, because I have no connection with newspapers, the press is shut out from me; to write a new pamphlet I have not the time.

I make, however, one declaration that, whatever insult may be heaped upon me out of this matter I shall not regret it, otherwise I would regard it, but now I leave it to the action of the court. If anyone can discover in my past career any such a thing which I buried at the head of Braun in 1896, I am willing to pray for his pardon, but not otherwise. I do not envy his beautifully rounded out career, because a man who does not resent such attacks on him as have made on him the Pester Lloyd and the Nemzet is not to be envied.

In consequence of his attack I have been sought out by a number of people and I have been asked how is it that a man with such a past has not been made impossible before this in New York by the Hungarians of fifteen to twenty thousand people there residing, and why is it I who is laying bare his career here at home? The majority of our Hungarians over there are journeymen artisans. They do not know how to write polemics. They shun publicity, and if some one blackmails them they prefer to pay. The intelligent part of the colony living over there are shipwrecked figures. I myself was one of them when I had stepped upon the shore of America. Add to this that the intelligent part of the colony which would be able to wield the pen has to a great extent dark pasts, and they do not like to be bothered about the past and prefer to pay and refuse to assume a public rôle. And if it does not fear the past, then there is the struggle for life with an extraordinary difficult battle to secure foothold in the strange land which embitters the life of the light-blooded intelligency there living. Through this apathy and this "what-do-we-care" attitude had Braun been able to terrorize and to misuse the Hungarian colony. No one cared for him.

Suddenly in 1896 general attention is called to his daring attempt to blackmail in a great style the exposition to the tune of 75,000 crowns. To know and to see that a Hungarian ruins his compatriots living far away, to know and to see that the same fellow coming home intends to blackmail his fatherland and the Hungarian Government out of a large sum of money, is, I respectfully suggest, if a man has but a tiny drop of feeling for his fatherland, impossible to disregard in silence, and this solely, and solely this unheard of proceeding on his part was the moving power of my attack on him.

Do not let us forget that the exposition of 1896, in honor of the one thousand years' existence of our nation, was of that glorious feast the most brilliant symbol of which the whole of the civilized world had taken notice. Now, one of our own blood dares to attempt to desecrate the memory of this festival for his own selfish aims. This can not be tolerated by one who knows the true condition of affairs. Braun had emigrated after he had been a soldier and it is hardly fifteen years since he went away. In too short a time there had died out in him his sympathy for his native land, but that is Hekuba to him, be it Roosevelt or the Millennium Exposition, the main point is that he should find the cow giving plenty of milk.

I can not acquit the police of Budapest of the reproach to have committed a tactical error concerning Braun.

I have heretofore said that the lowest path of the intelligence of our emigrated compatriots has a dark past, and this is better known by the police than by myself. It is now four weeks that all of the Hungarian newspapers announced that a gentleman of Hungarian birth will come as an American commissioner of immigration to this city to confer with the Government on important national affairs. Therefore they knew that this man about to come must be an intelligent man. Why did not the police immediately look after to find out what is the truth about the kaleidoscopic changes in the career of this man, and who is he, anyway?

The ministry of foreign affairs could within twenty hours receive from the consulate and from others detailed information. In consequence of this we would not have had the pleasure to receive Braun, and the hauling over of our police department in the press of all the world would not have been a necessity.

But not only then, when the scandal had been provoked, when the American consul had taken his part, then and only then are cablegrams sent, and even announce that they have done so, which on one side shows that the police department was really in trouble and on the other side shows that they had not given any credence to the American consul.

Facing such a man, who, without any rhyme or reason, simply because of his sickly conceit and vanity to create a sensation, and his usual scandal-monger habits—who, without any rhyme or reason, with cold blood, tolls the bells, it would have been in place to deal more carefully, with further forethought, because it should have been known that he will coin capital out of it.

I wish to state that my criticism here is based simply upon the happenings of events as I have learned them from the newspapers.

All this, however, does not change anything upon the subject, and the main thing is that Braun had made his attack without any reason; that for this he had been fined, and inasmuch as it is doubtless true that he had the intention to blackmail the Hungarian State as he for years blackmailed his Hungarian compatriots. Therefore, there can be no room for him here, and thus is evened and smoothed over the entangled affair into which he himself had brought disorder.

It is not excluded that extraordinarily, single-headed, and energetic Yankee might receive for the sake of peace satisfaction to which he might not be entitled, but, on the other hand, might be given to him so as to get rid of him because of his past career, excludes the probability of his acting here in fiduciary capacity.

In conclusion only one word more. Knowing this gentleman and knowing his splendid attainments as an agent provocateur, his mania to hunt up scandal and strife, it is my innermost conviction that the entire story of the opening of his mail and violation of the secrecy of the mail is but a great humbug.

If anyone has committed any violation of the secrecy of the letters of Mr. Marcus Braun, this anyone can not be aught else but Marcus Braun, immigrant inspector, himself, and could stake my life on this.

But I do not stake my head on this as yet because here in Budapest he might find some God-forsaken, hungry people who for money would assume to have opened his letters and who would be willing to be imprisoned for this for six or nine months, and then I would lose my head. It is for this that I do not give Mr. Braun the pleasure of seeing my head on the guillotine. It suffices if the poor detective's head falls as his victim. It is a fact that for once in his life he had very awkwardly arranged matters.

There happened a similar thing in 1894 in New York in the center of which our Mr. Braun stood. Now I remember only hazily the details, but if he desires it I will give him more exhaustive information.

Budapest, May 17, 1905.

ALEXANDER HAJOS.

EXHIBIT NO. 22.

BUDAPEST, HUNGARY, May 15, 1905.

HON. BELLAMY STORER,

United States Ambassador and Envoy Plenipotentiary,
Vienna.

SIR: I have the honor to submit to your consideration a statement about the insult, degradation, humiliation, injustice, and unlawful treatment to which I have been subjected by officials of the Royal Hungarian Government, both in my official and private capacity, and for which I ask all such reparation as you may see wise and fit to demand.

At the outset, however, I desire to invite your attention that inasmuch as most of my evidence is of a circumstantial nature, I would respectfully request not to use this statement before the foreign office of the Austro-Hungarian Government or the ministries of the Royal Hungarian Government, because I do not feel warranted to submit my case to any of the departments of courts of this country neither for trial nor for investigation, for the reason that the experience I had so far convinced me fully that I have been singled out as a victim of a plot and conspiracy by very powerful and unscrupulous men, who at any time could command any number of witnesses and officials who would be ready to swear my life away.

I respectfully beg to state that I reached the Hungarian border on April 16, 1905, at Csacza, Trencsen County, where I made a stop of twenty-four hours for the purpose of investigating the conditions existing with reference of handling emigrants to the United States by the representatives of both the Adria Steamship Company and the Fabrikarten Bureau, the licensed emigrant agents of the Kingdom of Hungary. I duly presented myself there by Mr. Bajan, the chief of said Bureau at Csacza, as a United States immigrant official, who told me that they knew about my coming and were expecting me for quite some time. Mr. Bajan was very anxious to know whether I was going from Csacza, and after having satisfied himself that my next stop will be at the city of Budapest, he sent a telegraphic message to a high official of the Royal Hungarian ministry of the interior, with whom Mr. Bajan told me he was in very close connection. I arrived at the city of Budapest in the evening of the 17th of April and immediately went to the Hotel Hungaria.

April 18 I spent in watching the various depots through which emigrants for the United States were bound to pass, and, engaging into conversations with several of them, I learned many interesting things, which were to lead me to the investigations with which I had been entrusted by the Commissioner General of Immigration, and which investigations necessitated frequent trips from Budapest to country places.

It took me but two or three days to get suspicious about the mail I received at the Hotel Hungaria, and my suspicion was particularly aroused by the fact that almost every letter which I received stuck to the envelope inside. I have reported my suspicions to Consul-General Chester and also to you, sir, and on May 2 in a letter which I sent by way of Berlin to the Commissioner General of Immigration at Washington, D. C., and I attach herewith for such uses as you may see fit some evidence which will convince you beyond the shadow of a doubt that my mail was systematically opened, and I beg to state here most emphatically that about the opening of my mail at least one high official of the royal Hungarian ministry of the interior knew, and also at least four officials of the royal Hungarian state police, including two officials of very high rank. I also know positively that every one of my letters which I received was not only opened, but also copied and the copies sent to those higher officials who were so very anxious to know the contents of my mail.

I do not positively know the motives of these unlawful acts, but some of the local newspapers of Budapest state that certain high offi-

cials of the Royal Hungarian Government considered me a very undesirable visitor because I happen to have the qualification to discover things which they would not like to see published. I do not know how true or untrue this assertion is, but judging from my experiences of last year and of two years ago, and differentiating between the experiences of 1903 and 1904, the assertions made sound very plausible. As a matter of fact, in my last year's report to the Commissioner-General of Immigration, I stated that in 1903, and also at my arrival in 1904, I was received most cordially by the high officials of the Royal Hungarian ministry of the interior, but that after a certain report which I made to Washington had been published both in the United States and in Hungary I became persona non grata, and all kinds of veiled assertions were published in the press against the United States Bureau of Immigration in general and against myself in particular, all of which assertions culminated in the almost open charge that I was in the pay of the steamship trust, but more particularly in the pay of the German lines.

Besides the opening of my mail, which I established beyond the shadow of a doubt, I also established the fact that I was constantly shadowed by detectives, and I told you, at my last visit to Vienna, also of this fact; but I have also at least one witness for this shadowing in the person of Miss Lillian Kidat, whose affidavit I also submit herewith. From the attached copy of my report of May 2, to Commissioner-General Sargent and the copy of a letter of May 3, addressed to the private residence of Mr. F. H. Larned, the chief clerk of the Bureau of Immigration, at Washington, you may notice that I prepared a trap for the "gentleman" who committed the crime of opening my letters, which, according to the laws of all countries, international treaties, and also according to the laws of Hungary, is a felony, punishable by State prison. I do not know whether the trap would have succeeded or not, but when I caught in the afternoon of May 8 Detective Hugo Kalmar tampering with my hotel mail box, looking over the slip, cards, and messages that had been placed there, I thought that there was no necessity for any further evidence, and in my, what I believed to be justified indignation, I jumped at him, and in plain words told him that if I caught him again tampering with my mail box I would knock him down, although I was aware of the fact that he was a detective who had been shadowing me. Kalmar told me right then and there that he did not know me, that I must be suffering from "persecution mania," that he had never shadowed me, nor tampered with my mail box; that he was looking for his key, and as a proof that this was so he asked me for my name.

I publicly denounced both the detective and the hotel people for the outrage committed, and telegraphed to you. Now, what happens next. Fully thirty hours after the incident described above I am served with a summons to appear the next day at 10 o'clock in the morning before the police captain of the fourth district to answer to a charge of misdemeanor. After the receipt of this summons I called upon Consul-General Frank Dyer Chester, to whom I also had reported the incident of the day before, asking his advice, and he came to the conclusion that the best thing we could do was to call the next morning, prior to the hour set for my appearance at the fourth district, on Chief Rudnai. I do not know whether Mr. Chester has reported to you this interview, but I assure you that it drove the blood of shame and humiliation into my face. Mr. Rudnai spoke to the consul-general of the United States in a rather rude and disrespectful manner, denied any knowledge of any orders given to anybody to shadow me, and to open my mail, at the same time refusing, however, to call the chief of the detective bureau for the information desired by Mr. Chester.

On this occasion Mr. Rudnai told me also in a very sarcastic manner that only His Majesty could pardon me, to which I replied that I had not called to ask for any pardon, but that I took grateful notice of his statement that I was already convicted before trial. Mr. Rudnai suggested that I should consider myself very lucky that I had not been arrested immediately at the time when I insulted a member of the Royal state police force, a thing which surely would have happened if a Hungarian would have done the same thing in the United States. Mr. Rudnai also very frequently suggested that I should prefer charges against Detective Kalmar, but I refused to enter into that trap.

I asked Consul-General Chester to accompany me to the captain of the fourth district, where my trial was to take place, but he refused, and I attended the trial all alone. I first protested against the whole proceeding, but was overruled. Kalmar denied of having tampered with my mail or having ever shadowed me. I admitted the incriminating expression, "If I catch you tampering again with my mail, I'll knock you down, although I know that you are a detective." This would have not necessitated any further witnesses, but Kalmar insisted that the portier, the chief of reception, and the head waiter should be called. The three of them testified that they heard what I said, but not one of them saw Kalmar tamper with my mail. I was fined 50 crowns, which I paid under appeal and protest, and then started the official campaign against me, which I will prove to you personally was arranged and instigated by very high Government officials.

A few words now about my alleged bad record: I declare to you, sir, most solemnly and emphatically, that there is not a single black spot in my career. I have never committed any wrong; have never been charged before any court or magistrate with any crime, felony, or misdemeanor, and the alleged wrongdoings which are attributed to me were charged against me before no less a personage than President Roosevelt, and, to wit, in 1899, when he was governor of New York State. These charges were investigated and at that time by the then governor and dismissed as base slanders and libels. The fact that these libelous statements are brought up here convinces me, beyond the shadow of a doubt, that the conspiracy against me was instigated by the Hungarian Government officials, because at that time they also emanated from the same sources, and, to wit, the Austro-Hungarian consulate-general of New York City.

In conclusion I beg to state that when I became a citizen of the United States, in the year 1897, I duly made application to the Hungarian Government to be released from the Hungarian State as its subject. I received the documents and they in themselves are prima facie evidence that there could have been no charge against me of any sort and that I did not even owe one florin taxes, because even for that they would refuse any Hungarian subject the release from the State subjugation. I further beg to invite your kind attention that ever since I have emigrated to the United States I have been eleven times in Budapest, now, for the third time, on official business, and formerly on business for American newspapers I had connections with. During my eleven visits I was in touch with Premier Ministers Wekerle, Banffy, Szell, and Tisza, and other officials, and on every one of my visits the local newspapers took due notice of my presence and wrote more or less complimentary articles about their patriotic fellow-Hungarian in America.

Therefore I respectfully submit that nobody had any right to look upon me as a suspicious person, and certainly nobody had any right to tamper with my mail.

Respectfully,

MARCUS BRAUN,
United States Immigrant Inspector,
Department of Commerce and Labor, Washington, D. C.

LONDON, June 13, 1905.

HON. FRANK P. SARGENT,
Commissioner-General of Immigration,
Department of Commerce and Labor, Washington, D. C.

SIR: In my letter, dated Hamburg, June 8, I reported to you the fact that since, under the instruction of the Secretary of the Department of Commerce and Labor, I left the jurisdiction of Austria-Hungary, several apparently inspired newspaper articles appeared, which were of a very injurious nature to both my person and the mission to which you detailed me.

I referred particularly to a long article of the Vienna Deutsches Volksblatt of June 1, 1905, about which article I have since learned from positive and authoritative sources that it was inspired by the Vienna foreign office. I beg to submit said article herewith in a full and literal translation:

"THE MARCUS BRAUN AFFAIR."

"Yesterday Hungarian semi-official newspapers published an apparently inspired statement, in which it was stated that it was extremely wrong, on the part of a Hungarian police official, to enter into a newspaper polemic with an official of the American Government and attack his personal honor. The statement goes on to say that the official in question has been recalled from Hungary. We would be perfectly satisfied with this notice, which definitely takes the unimportant Marcus Braun affair to the diplomatic grave, and would not further bother about it were it not for the fact that on its surface are some symptomatic characteristics. Characteristic with respect of the American Government in the way of selecting their officials, and characteristic of the Hungarian chauvinistic press' attitude when there are conflicts with foreign countries.

"Marcus Braun, a Hungarian Jew, who absconded from his native land in 1891 because there was an order of arrest out against him for swindling; who, in the same year, stole 70 marks from the Hungarian Aid Society, and who made this damage good only a few weeks ago, and who, according to the statements of one Horvath, stole from the latter furs, which theft he admitted. This Braun, who gained among the Americanized Hungarians of New York influence and position, and who at the governor's election of Mr. Roosevelt, and also at the Presidential elections of 1900 and 1904, delivered the naturalized Hungarian votes to the Republican party, was intrusted by his friend Roosevelt with the mission to study the conditions of emigration from central and eastern Europe, and to report about it. It is not surprising that this piece of news touched Hungary very unpleasantly. Braun had similar missions already in 1903 and 1904, and his reports contained veiled attacks against a Hungarian emigration policy. He was known from the beginning to be a sworn enemy of the agreement between the Hungarian Government and the Cunard Line, and he frequently openly expressed himself so. Whether the insinuation is true that Braun was bribed by the North Atlantic steamship trust, for the purpose of compromising the Cunard Line in the United States, and whether the deportation en masse of Hungarian citizens, who arrived from Flume at New York, and there were not permitted to land, have been due to the lying suggestions of Braun, can not be positively established, because concrete proofs are lacking.

"But the mise en scene of his mission was sufficient ground for Budapest to be on the lookout. Braun's trip was not announced officially from America; he himself did not present himself at the Hungarian ministry and other authorities, and as soon as he arrived he gave out interviews containing rank lies and, among other things, praised Canada into heaven as the land where people should emigrate to.

"The Hungarian Government, instead of declaring most categorically at Washington that they would not tolerate in Hungary an individual against whom orders of arrests were out, and instead of protesting against the sending of a former Hungarian in an official mission, preferred to have Braun watched by the police. Detective Kalmar, who was intrusted with this, thought that it was also his duty to control Braun's mail and was caught in the act at the Hotel Hungaria. And now started the scandal. Braun complained to the police, to the American consul-general at Budapest, to the embassy at Vienna, to the Federal Government at Washington, and to the editors of the Budapest press. All papers of the 1848 Party, and the Jew papers of this side of the Leitha took the persecuted Braun's part. The latter and Detective Kalmar diligently published interviews—Kalmar exposing Braun's past, who answered by threatening with American war vessels. The affair looked as if it would develop into an international conflict, when diplomacy took a hand, and, thanks to the correct and tact-showing behavior of the American ambassador, Mr. Bellamy Storer, a satisfying solution for both parties was found in the above-mentioned semi-official statement.

"Now the quarrel is settled. Braun has left Hungary and probably will not so soon go there again. It is now timely to establish the responsibility for each and every one of the interested parties. That the Hungarian authorities have made a mistake has been stated already, but the procedure of the Washington Cabinet is also not beyond criticism. The sending of a naturalized foreigner into his native country on an official mission shows lack of tact. We only remind of the at that time much bespoken case of the Czech Consul Jonas, who, in the year 1895, was appointed American consul at Prague, but whom Count Kalnoky refused his exequatur. It shows also lack of respect to send an individual with a tainted past on an official errand abroad. It being stated that Braun's record was submitted to a 'commission of honor,' and that only after having been exonerated by said commission he got his appointment. This may be true, but it will not be possible to spare that commission the reproach of lack of thoroughness, because a confidential inquiry at Vienna and Budapest would have been sufficient to establish the fact of orders of arrest being out. Finally, the mistake was made by the American Government not to notify officially the sending of Braun. The secret mis en scene of his mission must have so much more pained in Hungary, being that the Hungarian Government acts openly in questions of emigration and has nothing to conceal.

"While the action of the American Government is to be criticised, the attitude of the Hungarian press must be condemned. Out of sheer

hatred against Count Tisza they made Braun a victim of police autocracy. They forgot that it was he who in 1902 started the fight against the flag which was sent by the Hungarian National Association. It was overlooked that Braun's ultimatum is to hurt the interests of Flume; that he enticed to emigration to Canada. No credence was given to the detective about bench warrants, theft, and swindle, while Braun's insinuated threats about the appearance of an American man-of-war were accepted with great comfort. That an outbreak of a conflict with the United States would be suffered all over Hungary; that a diplomatic defeat of Count Tisza also means a humiliation of Hungary, seem to have been immaterial to those gentlemen, who always claim that they are the speaking tube of the will of the nation.

"We herewith take leave of Marcus Braun, and hope we never will hear of him again. It is said that he will go first to Berlin, and then, in pursuance of his mission to Russia and Roumania. We wish him bon voyage. May he, in the circles of Missler, Falck, and Ballin, think about it how he can make the powers at Washington believe that via Flume only criminals like himself, while via Hamburg and Bremen only angels emigrate to America. For Russia and America [this is evidently a misprint, and should mean Roumania] we give him by all means the advice to show more tact than at Budapest. It may be that in St. Petersburg and Bucharest he will be received politely in spite of his antecedents. But these countries being less friendly to Jews, he runs the risk to be expelled at the least scandal, and perhaps meanwhile Mr. Roosevelt will have arrived at the conclusion that Braun is not worth the coals of a man-of-war."

This article is not only full of malicious libels and falsehoods, but it shows also stupidity. I will not arrogate myself the right to comment on those points as may relate to the doings or nondoings of the United States Government, but I believe it is not only my right, but also my duty to stand up and fight for my personal honor, which now for the past five weeks continuously is ruthlessly, maliciously, and without the slightest foundation, being assailed. I feel that I have to make a statement less my silence might be construed as an admission that I may have committed some wrong before emigrating to America, and that I now feel covered under the protection of American citizenship and the always convenient statute of limitation, which the laws of most countries guarantee, excepting in cases of murder and for the so-called "military crimes."

I beg to submit that I finished the compulsory military service of my native land in May, 1890. It took me fully two years of work before I could save enough money to go to America with, where I landed in June, 1892. Under the laws of Hungary I was still a soldier in the reserve, and the strict rules required that I could not leave without first obtaining permission from both the military and civil authorities of Hungary. I applied for such permission and obtained the same, which fact is duly entered in my military book, which is in my possession, in my desk at my New York residence.

Before permission is given to anyone to leave the country, particularly to leave for America, a diligent search is made by the police and civil authorities whether or not there is any process pending against the applicant, or whether there are any arrears for taxes. Now, can you conceive the idea that I would have received such permission were I under some charge at that time? But I go one step further, lest the idea may suggest itself that my alleged wrongdoings had been discovered after I had obtained my papers and left.

The rules of military men in the reserve require that whenever they go abroad they must report to the nearest Austro-Hungarian consulate of the place where they stay for more than two weeks. In obedience of said rule, I reported within two weeks after my arrival in New York to the Austro-Hungarian consul-general of that city, which fact is also entered in my military book. Soon after my arrival at New York I accepted a position with the Frame manufacturing firm, of which Mr. Victor Wellisch, of 123 Second avenue, New York, was the manager, and who may be in a position to give information about my behavior, etc.

In October, 1892, I entered the services of the Austro-Hungarian Gazette, of which Mr. David Schnitzer, who at present resides at Chicago, Ill., was the publisher. In November of the same year Mr. Marcus Schnitzer, of 13 Park Row, New York, became part owner of the paper, and under his management I continued to work as reporter. At the end of December, 1892, I was engaged by Mr. Herman Alexander, at that time managing editor of the German Herald, also as a reporter. Mr. Alexander is at present the editor and publisher of Das Echo and the Plattdeutsche Post, both published in New York City. At that time I commenced also to work up local news items for English papers, such as the New York Herald, the New York World, and once in a while also for the New York Sun.

At about the end of April 1893, the New York German Herald sent me to Chicago as its special World's Fair correspondent. There I accepted also a position as press agent for the "Old Vienna" Company at the Midway Plaisance, and in August of the same year I became the correspondence of the German edition of the New York Journal.

In that capacity I exposed the crooked transactions of Dr. Anton von Palitschek, consul-general for Austria-Hungary at New York, and Austrian commissioner to the World's Columbian Exposition. Already at that time the Austro-Hungarian Government authorities were ransacking all the records of the world for the purpose to find some damaging evidence against me, whereby my exposures of their high official could be discredited. Their trouble was of no avail. The evidence I gathered against Dr. Anton von Palitschek was of such damaging nature, that the Vienna Government was compelled to recall him; he was subsequently arrested at Vienna, charged with embezzlement and other crimes, and was found guilty before a jury. But, being that the Austrian law requires at least two-thirds of the jurors for or against conviction, and in Palitschek's case the jury stood only seven for to five against conviction, he could not be sentenced and simply was dismissed from the Government service.

I continued in the service of Das Morgen Journal as reporter, and in April, 1894, I made my first trip to Europe. I was at least three weeks in Budapest, and duly reported to the authorities as prescribed by law, and this fact is also entered in my military book. During my stay at Budapest I interviewed the then prime minister of Hungary, Mr. Wekerle, to whom I was presented by Mr. Edward P. T. Hammond, United States consul at Budapest. The Hungarian newspapers at that time reported that fact fully, and there again the police failed to apprehend me if I were wanted, as it is being stated now by official statements from the Hungarian Government.

In June, 1895, the New York Journal and Das Morgen Journal sent me as special correspondent to the celebration connected with the opening of the Baltic Canal at Kiel, Germany. I was then newly married, and took my wife with me. After finishing my work in Germany I went with Mrs. Braun to Budapest, Hungary, and remained there till

August of the same year. I again reported to the authorities, and it was again entered in my book. I had at that time also a long interview with the then Prime Minister Banffy, who was very anxious to find out all about the status of Hungarians in America, he having heard that I had started proceedings against the naturalization clerk of the supreme court of New York, because he refused to state on my "first papers" that I was a Hungarian, and insisted on putting me down as an Austrian. Premier Banffy and the entire Hungarian press praised me at that time sky high for having made such a patriotic fight for the recognition of Hungary in the United States.

In January, 1896, I started with the publication of a monthly magazine, printed in the English language, entitled the "Hungarian American." In the month of April, 1896, I was sent by the New York World to Budapest as special correspondent to the millennial celebration of Hungary. I remained in Budapest from April 20, 1896, till June 25 of the same year, again reported to the authorities, and have it entered in my military book, and at that time I had a "scrap" with the directors of the Millennial Exposition and the minister of commerce, because they refused to pay by services which I rendered as press agent for the exposition in America, and for which I held a contract from the Hungarian Government, given to me by the Austro-Hungarian consul at New York, Baron Leonhardt. I placed the matter in the hands of a Budapest lawyer. The Hungarian Government had me attacked in one of their official papers, but subsequently settled my claim out of court.

A libel suit which I brought at that time against the official organ of the government I withdrew upon the advice of my lawyer, because he informed me that Francis Stockinger, consul-general at New York, together with a lawyer by the name of Ignatius Weltner, John Nyrl, and a number of other persons, had sent statements about me to the court at Budapest, which on their face bore the stamp of fabrication and were absolutely illegal and inadmissible under the law, but my lawyer was afraid that the court under certain pressure might admit those statements and hearsay stories as evidence, and thereby lose my case. My lawyer concluded by saying that inasmuch as the Hungarian Government has settled my claim, thereby acknowledging that I was right, it was sufficient moral satisfaction for my not pressing the libel suit any further.

Having in the meantime, to wit, in June, 1897, become a citizen of the United States, and being aware that Consul-General Stockinger, with his satellites, continued to blackguard me, I wrote to the State Department at Washington, inquiring what remedy I, as an American citizen, would have against the Austro-Hungarian consul-general, who was conspiring against me, and who interfered with my constitutional right of making a living. The State Department wrote in answer that Mr. Stockinger was just as much subject to the laws of New York State as any other resident, whereupon I got a hold of him upon the street and told him in plain English words that if he was not going to stop his blackguardism I would either have him arrested or else give him a sound thrashing.

At that time I also made application to the Hungarian Government to be released from the bonds of that State, having become an American citizen. After a long wait, I believe in the month of January, 1898, I received documents dated Budapest, December 3, 1897, and consisting of transcripts from the civil, military, and criminal authorities of Hungary, stating that none of them had any claim against me—in other words, showing an absolutely clean record.

In 1899, and, to be more correct, in the month of May in that year, I, as president of the Hungarian Republican Club of the city of New York, arranged a banquet, to which the President, at that time governor of New York State, had accepted an invitation. A few days before the banquet Mr. Roosevelt received a letter from the aforementioned Ignatius Weltner, warning him not to go to that banquet because the man at the head of the organization giving the banquet, meaning me, was a fugitive from justice from Europe, a criminal, and general bad character. Governor Roosevelt found that letter somewhat peculiar, and had the charges contained therein investigated by Supreme Court Justice Blanchard, Capt. F. Norton Goddard, and Mr. George R. Manchester.

The accusations made by Weltner could not be substantiated by him, and referring the investigating committee to the Austro-Hungarian consulate, where Weltner claimed that the documents about my bad record could be inspected, the committee found from the then acting consul-general for Austria-Hungary, Mr. Freyersleben, that there was not an iota of truth in Mr. Weltner's statement. Consul-General Stockinger had in the meantime been recalled from New York on account of scandalous behavior at the time of the death of Empress Elizabeth, of Austria-Hungary, and it was I who committed that crime of exposing his behavior.

Governor Roosevelt attended the banquet, and then and there accepted an invitation for the banquet of the Hungarian Republican Club of the City of New York for the following year, and which he also attended.

In the years 1899, 1901, and 1902 I also visited Hungary. Of course I was persona ingrata with the powers of Vienna and Budapest, they having received so many reports from the consul-general of New York as to what a holy terror I am. The most unpardonable sin I could commit in the eyes of these people was the Americanizing of "their subjects" and "their colonies."

At this instance I desire to plead guilty to the only true charge contained in the above translated article of the Vienna Deutsches Volksblatt. I refer to the charge which says that it was me who, in 1902, made a fight against that Hungarian flag which was sent over for the purpose of keeping the Hungarians of the United States in loyalty to their fatherland. There was quite a turmoil about that flag, and upon the President's request I made a report about it, which report was transmitted by the President to the State Department, from where I received also a letter of thanks and acknowledgment. At this time the question seems opportune. From where did the Deutsches Volksblatt get the information about this flag affair, if not from official sources from Vienna? Or where from should they have known the affair of Consul Jonas, if not from the Vienna foreign office?

When, in March, 1903, I was appointed special immigrant inspector, official Austria-Hungary on both sides of the Atlantic tried to win me over. All kinds of inducements were offered to me to join organizations in New York which are under the protection of the Austro-Hungarian consul-general. I reported to you last year the fact how Messrs. Selley and Kaltenbrunn, the councilors of the ministries of interior of Austria and Hungary, respectively. Both gentlemen gave me

evidences against steamship agents, which I used as exhibits in my report to you in the year 1903.

Last year I again called on both aforementioned gentlemen, and I had lengthy interviews not only with them, but also with Prime Minister Tisza. To my knowledge the American Government had neither in 1903 nor in 1904 officially apprised the Governments of Austria and Hungary of my mission, nor have these two Governments objected to my person because of a tainted past or because of the fact that I am a former Hungarian. I only became objectionable when in the performance of my sworn duty I reported facts to the Bureau which these Governments would have liked to be unknown. And now the silly diplomatic representation is made that my coming was not officially announced from America, and that a naturalized citizen of Hungarian birth ought not to be sent on official missions to Austria-Hungary.

As far as the silly charge is concerned that I have been bribed by the steamship companies of the North Atlantic trust, or by their agents, I can safely dismiss the same by simply pointing to my reports, which are in your possession, and for the refutation of the lying statements that I gave out interviews enticing to emigration to Canada, and God knows what else, I beg to attach hereto the only interview to which I consented and which appeared in the Budapest Magyar Hirlap and the Kivandorlasi Ertesito of April 30, 1905, and which was in answer to the following five questions:

"What is the purpose of your present trip?"

"Do the United States discriminate between emigrants from the various European countries?"

"Is the attitude of the immigration authorities alike toward all the steamship companies?"

"The newspapers wrote a good deal about proposed restrictive measures in the American immigration laws. What is true about it?"

"Would you recommend the Hungarians should emigrate to Canada in preference to the United States?"

The Kivandorlasi Ertesito printed my answer in Hungarian and in bad English, and from its contents you may see for yourself whether I said anything objectionable, except to such people who wanted to continue to dump the scum of humanity onto our country. All other reported interviews with me are falsehoods. Before the scandal became public at Budapest I only gave out the inclosed statement, and after that time I positively refused to make any other statement than that of having placed the entire matter into the hands of my Government, and consequently could say nothing for publication. It is true that any number of people called on me and of whom I know that they were sent for the purpose of getting me to say things which the Hungarian Government could use as a weapon against me, but I refused to enter into that trap.

There is one redeeming feature about the article of the Vienna Deutsches Volksblatt. The fact is acknowledged that I was shadowed by order of the Hungarian Government, and that my mail was tampered with. At the trial at which I was fined 50 crowns, Detective Kalmar most emphatically denied of ever having seen me before I attacked him, or of having tampered with my mail. Chief Rudnay, of the Budapest police, also made a statement to Consul-General Chester that never any orders had been issued to watch me. The day following, however, he gave out an official statement that I was an obnoxious foreigner, etc.

It seems that the Hungarian Government believes in the Latin saying "Semper aliquid haeret," or, in plain English words, "Just throw plenty of mud; something will stick." And there is no question about it that in those countries like Russia, Italy, Roumania, Greece, Montenegro, etc. I can not at present make any investigations without exposing myself to insults and official hindrances. After full satisfaction will be given for the insult, injury, and humiliation to which I was subjected, I can safely go to these countries, and therefore I beg to reiterate that my further stay in Europe is of little or no use for the time being, and once more earnestly and respectfully I ask for permission to return to America. I also beg to repeat that I am in ill health in consequence of the ordeal, and for the last five weeks I am under continuous medical treatment.

Respectfully,

MARCUS BRAUN.

[Copy.]

NEW YORK, July 13, 1905.

His Excellency THEODORE ROOSEVELT,

President of the United States,

Oyster Bay, N. Y.

MR. PRESIDENT: I am writing this memorandum upon the advice of Mr. Loeb, whom I saw twice since my return from Europe, and to whom I complained most bitterly about the outrageous way I have been treated abroad while doing my duty as an officer of this Government, and I still more bitterly complain about the way the American representative abroad and the Department of State at Washington have taken up my case, or rather, to correct myself, have disposed of it.

Mr. President, I have secured such an abundance of evidence and submitted the same to the Hon. Bellamy Storer, American ambassador at Vienna, Austria, that it would have been enough not only to obtain the most sweeping satisfaction for both the American Government and myself, but it positively would have been instrumental to ridicule the diplomacy of Austria-Hungary before the whole world. It seems, however, that the ambassador did not use the evidence I have submitted to him, but, on the contrary, must have made such reports to the Department of State at Washington that the said Department seemed to feel justified to consider my case as a closed incident, as I am informed in a letter, of which the following is a true copy:

DEPARTMENT OF STATE,
Washington, July 10, 1905.

MARCUS BRAUN, Esq.,

78 Second Avenue, New York, N. Y.

Sir: I have your letter of July 9, asking the "present status" of your case against the Hungarian Government, and I beg to inform you that, after reading the correspondence in relation to the matter, I find that it is considered by the Department as a closed incident.

I am, sir, your obedient servant,

HERBERT H. D. PEIRCE,
Third Assistant Secretary.

I have not seen the correspondence between the foreign office at Vienna, the American ambassador, and the State Department at Washington, but judging from the hilarious joy expressed by persons of this city who are in close connection with the Austro-Hungarian Government, I know this, that they claim a great diplomatic victory over the United States. If they actually did secure such a victory, Mr. Presi-

dent, then allow me to state that the American ambassador, and through him the Department of State, were deceived by the Austro-Hungarian Government in such a shameful manner that if universally known, our American diplomacy would be held up to the ridicule of the entire world.

I understand that Ambassador Storer reported to the State Department that while it was true that I was treated outrageously, yet it seems that the claim of the Austro-Hungarian Government is justified; that I had a bad record; that I showed lack of discretion; that I was an enemy to Hungary; that I was an agent for foreign steamship companies and that I joined with the deputies of the opposition party to embarrass and defeat the Hungarian Government. In addition to this, I understand that the claim was advanced that it was very unkind on the part of the American Government to send a native Hungarian who expatriated himself and became an American citizen, on a mission which was very embarrassing to the Hungarian Government.

As to the first charge, I respectfully invite attention to the inclosed copy of my statement sent to the Commissioner-General of Immigration, for the substantiation of which I hold official documents. This statement I also submitted to Ambassador Storer, but I understand it never reached the State Department.

Other documents were procured by Dr. Frank Dyer Chester, consul-general of the United States at Budapest, and were offered by him to Ambassador Storer, but the ambassador suggested that he should simply keep them in his safe at Budapest. Doctor Chester also offered to make an affidavit before the ambassador, setting forth an interview which he had with a state detective at Budapest, Hungary, and who solemnly declared before him that he had assisted the detective whom I caught tampering with my mail, in copying out my letters at police headquarters, and that the orders for that were given by the ministry of interior, and that all this was done for the purpose of making my further stay in Hungary as an investigator impossible. To this also the ambassador replied that it was not necessary and of very little use, since we were not in a position to disclose the identity of the official, because he would lose his position and possibly be punished besides for giving away state secrets.

I requested Consul-General Chester to make an independent report, with which request I believe he complied, but at the Bureau of Immigration at Washington I was told that nothing was heard, and therefore I take the liberty to inclose herewith for your perusal authenticated translations of certain documents issued by the Hungarian ministry of interior, by the royal criminal court of justice at Budapest, by the council of the capital and residence city of Budapest, and the ministry of national defense at Budapest. These documents were issued in 1897 upon my petition to be discharged from all further bondage of the Hungarian authorities at the time when I became a citizen of the United States, and on its face shows that I must have had an absolutely clean record in every respect, otherwise such documents could not have been issued. As a matter of fact, the Hungarian Government does not accuse me of having ever done anything wrong in my native land, but simply claim that I was a very bad man while abroad. In their official attacks made upon my character they stated, for instance, that I have been a curse to the Hungarians in America, that I blackguarded and blackmailed them, and that I stole from one Horvath, in New York, furs and a gold watch, between the years 1896 and 1898, and that a descent was made at my house and those goods seized on that occasion.

Another of my alleged misdoings is that I was the treasurer of the Hungarian Relief Society, at Munich, Germany, sometime between 1890 and 1891, and that I robbed that society to the aggregate amount of 70 marks (about \$16.10), for which alleged crime they have nothing else to show but a letter. This ridiculous charge was made against me already nine years ago, and if I am not mistaken, was made also to you, Mr. President, in the spring of 1899, when you were kind enough, as governor of this State, to accept the invitation of the Hungarian Republican Club of New York to dine with us at the Café Boulevard. This charge emanated, as you will probably remember, also from the Austro-Hungarian Government, and was made by one Ignatius Weltner, attorney for the Austro-Hungarian consulate in New York.

I hope you will remember, Mr. President, that you had these charges investigated by the late Capt. F. Norton Goddard, Supreme Court Justice Blanchard, and one or two other gentlemen, who found this charge and all other charges made at the same time, to be false and not substantiated by anything. This ridiculous charge was brought up against me for the first time in 1896, when I had made a claim against the Hungarian Government for services rendered as press agent, and which was used at that time as an excuse why they should not pay me. At that time I sued the Hungarian Government, and my claim was subsequently settled out of court, but I took also precaution to procure from the Hungarian Relief Society, at Munich, a document, an authenticated translation of which I inclose herewith, showing that the accusation is nothing but a base slander. Still it seems that the American ambassador at Vienna accepted the statement of the foreign office at Vienna without asking for any proofs.

As far as the charge is concerned that I showed lack of discretion I have to say but so much—that for fully three weeks I was aware of the fact that my mail was constantly opened by the Hungarian Government, that a detective shadowed me at all times, and that I knew of the existence of a scheme to put up a job on me, and I never said a complaining word to anybody in that country, except to the consul-general at Budapest and the ambassador at Vienna, and only when I caught the state detective, Kalmar, red-handed, tampering with my mail, that I gave vent to my feelings. If that is lack of discretion, Mr. President, then I always want to be indiscreet.

The Hungarian Government tried all kinds of schemes to involve me into some trouble; they went even to the extent to try the badger game on me, by sending young women into my room at the Hotel Hungaria at Budapest, but I refused to bite. I was besieged day after day by newspaper men for statements, which I refused to make, and they were particularly anxious to get me to criticize the policies of the Hungarian Government, but all of which was of no avail. I was coaxed to visit the Opposition Deputies of the Hungarian Parliament, which I refused to do. I not even went to see Count Apponyi, whereas common courtesy would have required it that I should pay my respects to the distinguished statesman who is such a great friend of the United States, and who wrote to me such a beautiful letter on the occasion of the Hungarian Republican Club banquet on February 14, which you, Mr. President, graced by your presence.

As far as to the charge that I am an enemy of Hungary, I call upon your testimony, Mr. President. You have honored me quite often to talk to me about Hungary, Hungarians, and their affairs, and you will best know my feelings toward the country of my nativity, and, as far as the charge is concerned that I am an agent for steamship companies, I simply point to the various reports I have made since I am in the

Government service. They show conclusively how much of an agent I must be for steamship companies.

Of course, it is not within my province to discuss that feature of the grievance of the Austro-Hungarian Government that it is unkind to send a native Hungarian on missions like the one I was sent, but, as a layman, I respectfully beg to submit that it would be a very unfortunate precedent for this country to sustain such objections. I did not go to Hungary in any diplomatic capacity. I look upon my mission as the work of an expert, whose duty it is to observe conditions and to report on them, but even admitting that the claim of the Austro-Hungarian Government was justified, why were not those objections raised two years ago, when I came to Hungary in the same capacity, and why were not those objections raised last year? And, if everything is admitted, if I really was an obnoxious man with a criminal record and all other bad things that are said about me—even then, according to my conception, the Austro-Hungarian Government was wrong in the extreme, because their business would have been to simply make a quiet protest to the American Government, and not enter into a conspiracy against a comparatively insignificant officer and thereby create a scandal.

In order to prove to you, Mr. President, that I was not always objectionable to the Government of my native country, I inclose herewith an authenticated translation from a letter of recommendation, signed in 1896 by Baron Leonhardi, the then Austro-Hungarian consul of New York, and I inclose also a printed envelope from the directors of the Millennial Exhibition of 1896 (gotten up by the Hungarian Government in celebration of the one thousandth anniversary of Hungary's existence as a State), and which will show that I was good enough for them at that time to propagate their affair in the United States; but I became obnoxious to the Hungarian Government soon thereafter, because it was reported to them that I was very successful in Americanizing the Hungarians sojourning in the United States, and that is a great crime in the eyes of the gentlemen who are not able to create conditions in their country that would enable people to make a living there. The greatest crime I committed, in the eyes of these people, is that I was fortunate enough to have you, Mr. President, recognize the American citizens of Hungarian birth, and honor them with your presence at the banquet.

I hope you will pardon this lengthy memoranda, but I feel that I owe that to myself, my family, and to my fellow-citizens that I should insist upon a complete vindication. My only stock in trade is my good name. I declare most solemnly, Mr. President, that I have never done, knowingly, anything wrong in my life. I always was a hard-working man, and I was always a very poor man. I am still hard working, and I am very far from being well off. Of course I have always known how to make my living, and to support my family, and as long as Providence will keep me in good health, I purpose to do the same thing. And therefore, Mr. President, I hope you will admit that I would not be worth my salt if I would not stand up and fight for my rights. I have been most outrageously subjected to the greatest indignities, and I appeal to you, Mr. President, that you should not allow this incident to be regarded as "closed," as I have been informed by your Department of State from Washington.

Respectfully,

MARCUS BRAUN,
78 Second avenue.

DEPARTMENT OF STATE,
Washington, March 26, 1906.

MARCUS BRAUN, Esq.,
78 Second avenue, New York City.

SR: I have to acknowledge the receipt of your memorandum or brief, dated the 21st ultimo, with reference to House Document No. 482, Fifty-ninth Congress, first session, in the matter of Marcus Braun, and to say that it is the opinion of the Department, in view of all the circumstances of the case, that it would be inexpedient to reopen the question so elaborately discussed in your brief on file in the Department.

I am, sir, your obedient servant,

ELIHU ROOT.

[Mr. WM. ALDEN SMITH addressed the committee. See Appendix.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. JOHNSON. I renew the amendment. I wish to inquire of the chairman of the committee what has been the result of the provision adopted two years ago for a purchasing agent at the Post-Office Department?

Mr. OVERSTREET. Mr. Chairman, that office has been created, and that department is now in operation. Of course it will take some time to explain the extent of it. Provision is made in the latter part of this bill, which the gentleman will observe, putting that office under the head of the Fourth Assistant Postmaster-General.

Mr. JOHNSON. Is it true that he has done all of the purchasing for the Post-Office Department, as required by law?

Mr. OVERSTREET. As far as this bill is concerned, we make provision for all supplies that fall under the authority of the Fourth Assistant Postmaster-General, except in those instances where, by reason of the peculiarity of the supply, it is particularly and exclusively limited to one particular department. The advertisement is had, and upon the requisitions of the various assistants the purchasing agent meets the requisitions as the service may find it necessary. In other words, the purchasing agency is operating successfully and satisfactorily.

Mr. JOHNSON. I am glad to hear it. I withdraw my formal amendment, Mr. Chairman.

Mr. GAINES of Tennessee. I renew the amendment, Mr. Chairman, for the purpose of making an inquiry. A few moments ago I asked the very able gentleman from South Carolina [Mr. FINLEY] a question about this St. Louis bank fraud order, and my friend from Georgia [Mr. BARTLETT] said that

the distinguished gentleman from Indiana [Mr. CRUMPACKER] had introduced a bill on the subject, and I have the pleasure of seeing the gentleman in his seat. I hope he will take a few moments and explain the bill to the House.

Mr. OVERSTREET. Mr. Chairman, I want to know what the motion was.

Mr. GAINES of Tennessee. It was a formal amendment to get information from the gentleman from Indiana [Mr. CRUMPACKER], who has introduced a bill relating to the subject of issuing fraud orders by the Post-Office Department, in this St. Louis bank matter. There is a bank in St. Louis that seemed to be perfectly solvent—

Mr. OVERSTREET. If the gentleman from Tennessee will permit me, that bill, as I understand, is before the Committee on the Judiciary, but it has no relation to this bill under consideration.

Mr. GAINES of Tennessee. I have had a great many inquiries about it. I never have seen it, and the gentleman from Indiana can explain it in a few moments, and I hope he will be allowed to do so. There are several preachers in my district who are stockholders in this bank.

Mr. OVERSTREET. The gentleman from Indiana can explain it to the gentleman from Tennessee, if he wishes, without taking up the time of the committee.

Mr. GAINES of Tennessee. But there are other gentlemen here who want to know about it.

The CHAIRMAN. The Chair will state that it is not in order for the gentleman to explain, as it is not germane to the bill. Without objection the pro forma amendment will be withdrawn.

The Clerk read as follows:

Salaries of post-office inspectors: For salaries of 15 inspectors in charge of divisions, at \$2,750 each; 6 inspectors, at \$2,400 each; 15 inspectors, at \$2,250 each; 15 inspectors, at \$2,000 each; 10 inspectors, at \$1,800 each; 95 inspectors, at \$1,600 each; 18 inspectors, at \$1,500 each; 78 inspectors, at \$1,400 each; 25 inspectors, at \$1,300 each; and 100 inspectors, at \$1,200 each; in all, \$578,100: *Provided*, That all persons employed on the 30th day of June, 1906, as superintendents of division, rural delivery, and inspector of agents, rural delivery, shall, on July 1, 1906, be appointed as post-office inspectors of the grade of \$1,800 per year: *And provided further*, That all persons employed on June 30, 1906, as rural agents shall, on July 1, 1906, be appointed as post-office inspectors as of the same grade of salary which said persons were, on June 30, 1906, receiving as rural agents, except not to exceed 143 of such agents shall be so appointed as post-office inspectors.

Mr. OVERSTREET. Mr. Chairman, I move to strike out in line 12, page 2—

Mr. JOHNSON. Before any amendment is offered, Mr. Chairman, I want to make the point of order against the paragraph.

Mr. OVERSTREET. I will withdraw my amendment, Mr. Chairman, and offer it later.

Mr. JOHNSON. Having made the point of order—

The CHAIRMAN. What is the gentleman's point of order?

Mr. JOHNSON. I ask to reserve it in order to have an explanation from the chairman of the committee as to why the inspectors are consolidated.

The CHAIRMAN. Will the gentleman from South Carolina state his point of order?

Mr. JOHNSON. My point of order is that this is legislation; that they are legislating a whole class into office.

The CHAIRMAN. And the gentleman reserves that point of order?

Mr. JOHNSON. I reserve it because I want an explanation of it.

Mr. OVERSTREET. Mr. Chairman, answering the gentleman's question, because I think the point of order will not properly lie, I will state that under the authority of law covering almost one hundred years, the Postmaster-General has clear authority for such arrangements within the jurisdiction of his Department as may seem best for its administration. Following the practice under such authority, from time to time changes are made under the direction, by special orders, of the Postmaster-General.

On the 1st of last December, and under this general statutory authority, the Postmaster-General made such changes in the organization as brought under the chief post-office inspector not only the post-office inspectors of the service, but the rural agents as well. There are, therefore, at this time under this reorganization two inspection services, both under a common head—that of the so-called "post-office inspectors" and that of the so-called "rural agents."

The general line of work of the post-office inspectors and their authority and salary have not been disturbed, except in one instance, which I will explain later. The merger is for the purpose of better administration, bringing under a common head the supervision of these two branches of inspection, and which are now under that head by reason of this special order of the

Postmaster-General. That better administration will be an economy by reduction of the general expense of the two services. The other reason is to enlarge the power and authority of the rural agents. Under the law as at present operated, the rural agent is limited to the inspection of the rural route or the examination of territory with a view to the installation of rural service, or to slight changes incident to the growth of that service. The authority of the post-office inspector is not only to do as much as the rural agent is now permitted to do, but, as well, to inspect the accounts of postmasters of each of the several classes, and also to act as an officer of the Government in the investigation of depredations against the service or the postal system. If, therefore, under existing conditions, a rural agent happens to be at a certain office, his power would be restricted simply to the investigation of that rural service, and if the accounts of that postmaster needed inspection in regard to the bookkeeping, or if there had been some slight infraction of the law relative to depredations at a small post-office, the rural agent would not have authority to make this investigation, and it would be necessary to send for a post-office inspector for that purpose. It has been thought, therefore, that not only in the interest of better administration, but in the interest of economy, to merge these two services.

Now, Mr. Chairman, under existing law there is authority for 161 rural agents, but by reason of the fact that the service has been considerably extended there has not been found any necessity to continue so large a corps of such officials. The number now in the service, under existing law, of rural agents is 150 instead of 161. Therefore by merging these rural agents with post-office inspectors, clothing them with additional authority which is suggested, it would result in an economy to the administration of a little over \$83,000. But, Mr. Chairman, it has been found from experience that the six division superintendents of rural delivery, those men who have operated at the six different points of the country in the superintendence of this service of rural extension, should be continued in the service by reason of their knowledge and experience rather than to legislate them out and put new men into their places for that particular purpose. Therefore the merger was made for the purpose of holding all of those individuals.

Mr. JOHNSON. Mr. Chairman—

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON. Mr. Chairman, under discussion of the point of order I did not think the gentleman would be confined to the five minutes.

The CHAIRMAN. The gentleman is not discussing any point of order; the gentleman from South Carolina has simply reserved the point of order.

Mr. JOHNSON. Well, I hope the gentleman will be allowed to go on with his explanation.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the gentleman may proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. OVERSTREET. I would like to inquire of the gentleman if I have failed to cover any point that he desired to have explained?

Mr. JOHNSON. Under this merger the chief inspector of the Post-Office Department practically becomes the head of the rural free-delivery service, does he not?

Mr. OVERSTREET. No; he is now at the head of the rural agents, but he does not become the head of the service. The head of the service is first, the Fourth Assistant Postmaster-General, and under him comes the superintendent of rural delivery. The chief post-office inspector is now under existing law, under the operation of the administration of that service, at the head of the management of the rural agents.

Mr. JOHNSON. Just one other question? Is it not true that rural agents and post-office inspectors have been in the discharge of very different duties heretofore?

Mr. OVERSTREET. No; not entirely. The post-office inspectors have a larger field of authority than rural agents. Whatever change is being made by this merger is to make the rural agents equal in authority with the post-office inspectors.

Mr. JOHNSON. But does not the gentleman make the men, whose chief business heretofore has been to detect crime against the post-office laws, rural agents, to do an entirely different kind of work, that they are not familiar with, and also make rural agents, who have heretofore been laying out routes, post-office inspectors, to search out evidences of crime?

Mr. OVERSTREET. Mr. Chairman, the gentleman is entirely mistaken. This merger changes in no respect whatever the duties or authority of the post-office inspectors. It makes no change with respect to that service at all, so far as their duties

and authority are concerned. It does enlarge the duty and authority of the rural agent; but the gentleman will appreciate, I think, that any rural agent with sufficient ability and intelligence to go into a community for the purpose of laying out a rural route would be equally able to make an investigation of an ordinary depredation along that route, or would be equally able to make an ordinary routine inspection of the books of the fourth-class postmasters. It is for the purpose of avoiding duplication of expense, duplication of work, that we seek to make this merger; but not as the gentleman thought, for the purpose of extending the power and authority of post-office inspectors to perform rural-agent services. They have that power now, but the rural agent has not the other power.

Mr. FOSTER of Vermont. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Indiana yield?

Mr. OVERSTREET. I yield to the gentleman from Vermont.

Mr. FOSTER of Vermont. I wish to ask the gentleman, the chairman of the committee, a question. How many of these rural agents are there in the service of the Government at the present time?

Mr. OVERSTREET. The law to-day authorizes 161. One hundred and fifty are employed.

Mr. FOSTER of Vermont. And this bill provides for 143?

Mr. OVERSTREET. Six of these men are now division superintendents, and one is what is known under the present law as "inspector of agents," but it was intended to move to strike out that latter term from the bill and reduce the other to 142, because the inspector of agents, I understand, has been provided for in the legislative bill.

Mr. FOSTER of Vermont. Then, as I understand it, the 362 inspectors—

Mr. OVERSTREET. Three hundred and seventy-seven the total will finally make.

Mr. FOSTER of Vermont. The 377 inspectors includes these 143 who are now called "rural agents?"

Mr. OVERSTREET. Yes, sir. Under this merger the rural agents are merged into a specific inspector organization at the same salaries which the rural agents are now employed at, while the six division superintendents, who are now receiving twenty-four hundred dollars a year and no per diem, are merged into that organization at a salary of eighteen hundred dollars a year with the ordinary per diem. Now, Mr. Chairman, I would like to inquire if the gentleman withdraws the point of order?

Mr. JOHNSON. Mr. Chairman, I withdraw the point which I made in order to obtain this explanation for the House. I now desire to ask the gentleman one other question. Are any salaries increased in the section just read?

Mr. OVERSTREET. I am glad the gentleman suggested it. I said a while ago I would explain it, but I had overlooked it. Under existing law, Mr. Chairman, there are fifteen post-office inspectors in charge throughout the country. Five of these inspectors are on a salary of \$3,000 a year and ten are at a salary of twenty-five hundred dollars a year each. They perform similar services so far as responsibility and importance are concerned. We therefore make the fifteen at twenty-seven hundred and fifty dollars each in order to equalize the salaries where equal responsibility already exists.

Mr. JOHNSON. Will the gentleman let me interrupt him?

Mr. OVERSTREET. Certainly.

Mr. JOHNSON. It is the first time in this Congress a committee has undertaken to equalize by lowering some and raising others.

Mr. OVERSTREET. There are only five of them, and they have only been increased for one year. Now, Mr. Chairman, I renew my amendment. In line 12, page 2, strike out the language "and inspector of agents, rural delivery."

The Clerk read as follows:

Amend in page 2, line 12, by striking out the words "and inspector of agents, rural delivery."

The question was taken; and the amendment was agreed to.

Mr. OVERSTREET. I offer the following amendment: In line 21, page 2, strike out "forty-three" and insert "forty-two."

The Clerk read as follows:

Line 21, page 2, strike out "forty-three" and insert "forty-two."

The question was taken; and the amendment was agreed to.

Mr. CRUMPACKER. Mr. Chairman, I move to strike out the words "one hundred and," in line 21, page 2; so as to read "not to exceed forty-two."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 2, line 21, strike out the words "one hundred and."

The CHAIRMAN. Does the gentleman desire to discuss the amendment?

Mr. CRUMPACKER. I do. Mr. Chairman, under the provisions of this bill, if it should be enacted into law, there will be 520 post-office inspectors traveling throughout the country, armed with royal warrants authorizing them to arrest any citizen whom they may suspect of having violated any postal law or regulation.

Mr. STAFFORD. I do not believe the gentleman wants to make a misstatement. There are not 520, but 377 provided for.

Mr. CRUMPACKER. It is a question of figures. I have added the several numbers in this section, including the 143 rural agents who are to be made inspectors, and it makes 520.

Mr. STAFFORD. One hundred and forty-three are already included in the 377 that are enumerated.

Mr. CRUMPACKER. That may be, but in my judgment we have too many inspectors, considering the large power they have over the liberties and the rights of the people. There are already too many.

Mr. STAFFORD. But if you lessen the present combined force, you will restrict and hinder the extensions and supervision of the rural delivery service.

Mr. CRUMPACKER. I appreciate the fact that it is necessary to protect the mails against fraud and abuse, but we have a system of post-office inspection service that seems to me can not be defended upon any just and fair theory of administration. Post-office inspectors have the right, or at least they exercise the power, of arresting, fining, and collecting penalties from citizens of the country under a law or regulation that exists at this time. I read in a local paper, published in the district I have the honor to represent, a few days ago about an inspector from the city of Indianapolis—a man whom I know personally, a very excellent gentleman—who had gone to two ladies in a little village, who had sent the county paper to some friend, and had put some lead-pencil inscription on the margin. He went to their home and fined them \$10 each, and collected it on the spot. The post-office inspector returned the money, I have no doubt, to the Government. I want to say, gentlemen of the committee, that that practice is going on all over the United States to-day. There is no question about it.

Mr. BUTLER of Pennsylvania. Will the gentleman allow me to ask him a question?

Mr. CRUMPACKER. I yield to the gentleman for a question.

Mr. BUTLER of Pennsylvania. Do I understand the gentleman to say that post-office inspectors collected, for some supposed offense, \$10?

Mr. CRUMPACKER. Why, of course. Is that news to the gentleman?

Mr. BUTLER of Pennsylvania. It is, absolutely. I did not suppose they would do that sort of thing. It is not authorized by law.

Mr. CRUMPACKER. They do it.

Mr. NORRIS. Will the gentleman from Indiana yield for a question?

Mr. CRUMPACKER. I yield for a question.

Mr. NORRIS. I want to ask the gentleman if there is any law now in existence that permits a post-office inspector to exercise that kind of authority?

Mr. CRUMPACKER. I assume there is; otherwise they would be guilty of criminal extortion.

Mr. OVERSTREET. I think the gentleman from Indiana ought not to make any such statement as this unless he can cite the law. I state there is no such law.

Mr. CRUMPACKER. I say, I assume, Mr. Chairman, that there is a law or regulation of that kind or the officer would be guilty of criminal extortion, and I understand that it is a common practice for inspectors where there is a technical violation of law to say to the alleged criminal: "Now, you can pay so much to the Department"—the money goes to the Department doubtless, or the officers would not collect it—"you can pay so much to the Department and save yourself the trouble of being prosecuted before a United States commissioner or before the Federal courts."

Mr. GROSVENOR. Now, Mr. Chairman, I would like to ask the gentleman from Indiana if this suggestion of his, which I do not mean to dispute or affirm, is not directly a charge of robbery against the Post-Office Department? Is there any channel through which the money can ever reach the Post-Office Department without attracting their attention to the felonious manner in which the post-office inspector came by it?

Mr. CRUMPACKER. I understand there is a system of penalties imposed by the regulations of the Post-Office Department. The gentleman must remember that that Department has legislative, executive, and judicial powers combined. It exercises all the powers of the Government over the postal busi-

ness of the country. It is not the fault of the Postmaster-General, but it is the law.

Mr. PADGETT. Mr. Chairman—

Mr. BUTLER of Pennsylvania. Will the gentleman allow me one question?

The CHAIRMAN. To whom does the gentleman yield?

Mr. CRUMPACKER. I yield to the gentleman from Tennessee. I saw him first.

Mr. PADGETT. I wanted to say to the gentleman from Indiana that I have in mind a concrete case where an inspector in the town of Columbia, Tenn., fined a citizen of that town \$10 in each of seven cases—\$10 for each offense. He proposed to arrest him, and the man said to him: "If you will not require me to be arrested I will pay \$10 in each case," which he did.

Mr. CRUMPACKER. I think there is no question about the practice, and I assume that it is authorized by law. The Internal-Revenue Service is conducted on the same plan. A deputy collector may impose a penalty of 50 per cent or a certain other per cent of the amount of a special tax if it is not paid on the day it is due, and collect the penalty. That is a common practice. The amount thus collected is turned in and accounted for.

The CHAIRMAN. The gentleman's time has expired.

Mr. CRUMPACKER. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. Is there objection to the request?

There was no objection.

Mr. SMITH of Kentucky. Now, I want to ask the gentleman a question in that connection.

Mr. CRUMPACKER. If it is simply a question. I have some views that I want to submit to the committee on this matter.

Mr. SMITH of Kentucky. Those penalties you speak of which are collected by deputy commissioners of internal revenue are imposed by law, are they not?

Mr. CRUMPACKER. I assume they are, of course, and I assume that the others are.

Mr. SMITH of Kentucky. Does not the gentleman know that if the taxes are not paid by a certain date a penalty per cent is added and collected?

Mr. CRUMPACKER. The criticism that I am making is of the law and not of the officers, because I assume that they are performing their duties in accordance with the postal regulations or the law. I do not know which it is; possibly it may be both.

Now, I think inspectors are clothed with too much power, or there are too many of them. There are 520 of these secret emissaries who go about the country looking after the business of the Post-Office Department, and incidentally, by dark-lantern methods, make inquiries into the reputation and the business carried on by every citizen, every association, and every corporation throughout the land. Who knows how many secret reports that may reflect upon the character of individuals, associations, or business concerns are now sleeping in the archives of the Post-Office Department that have never come to light, put there by confidential reports of those emissaries? And when I speak of them as emissaries I do not mean it in an offensive sense. There is a system of postal espionage in this country that is absolutely inconsistent with the spirit of free institutions, and it is not what should be expected in a land of law and liberty.

Post-office inspectors may lodge complaints with the Postmaster-General that the business of an individual is fraudulent. The Postmaster-General may be satisfied from the secret reports of the inspectors that there are some irregularities in the character of the business the particular individual is conducting, and he may peremptorily enter a fraud order and withhold from that individual the privileges of the mails, absolutely ruining his business and blasting forever his business reputation. When that citizen calls upon the Postmaster-General, asking permission to see the charges that have been made against him, he is informed that they are confidential and is refused the privilege.

Now, something was said a few minutes ago about the People's United States Bank, at St. Louis, Mo. That institution became a victim of the post-office inspectors. A fraud order was issued against the institution about six months ago, and it was put into the hands of a receiver as an insolvent corporation after the fraud order was issued, at the suit of the secretary of state of the State of Missouri. Administered by a receiver, the institution paid every depositor a hundred cents on the dollar. It has already repaid to the stockholders 92½ per cent of the par value of their stock, and it has an abundance to pay the balance; and last week the supreme court of the State of Missouri decided that the order appointing a receiver and ad-

judging the bank insolvent was improperly issued in the first place; that it never was an insolvent institution; but what good does that do?

The mandate of the court ordered the receiver discharged and the affairs of the bank turned over to the company, but there stands the fraud order against the institution and against its president in the Post-Office Department, and they can not conduct any business in the way of correspondence and nothing but ruination is their fate. The president of the bank applied to a Federal court for a review of the fraud order and for a mandate against the Postmaster-General compelling him to restore to the bank the privilege of the mails. That court decided that the right to the mails was not a vested right and the discretion of withholding the privileges of the mails for fraud was vested in the Postmaster-General and was not subject to review by any court.

I do not know what may be the merits of that case, but some time ago I introduced a resolution in the House and had it referred to the Committee on the Post-Office and Post-Roads—

Mr. OVERSTREET. Oh, the gentleman must state the facts if he hopes that the committee will consider them at all. No such resolution as that ever came from the gentleman to the Committee on the Post-Office and Post-Roads.

Mr. CRUMPACKER. It went to the Committee on the Post-Office and Post-Roads, requiring the Postmaster-General to report to the House the facts upon which he issued the fraud order.

Mr. OVERSTREET. That is true. I thought the gentleman referred to the bill spoken of by the gentleman from Tennessee.

Mr. CRUMPACKER. The resolution is the one I had in mind. The Committee on Post-Offices reported the resolution back to the House and it was adopted, and a week or ten days ago the Postmaster-General courteously informed the House that it would not be compatible with the public interest to give the House or the country the information upon which that important order was issued. That bank never has known, and probably never will know, upon what evidence the Postmaster-General made the order ruining its business and wrecking its prospects.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. OVERSTREET. Mr. Chairman, I think it is due to the committee to understand that 99½ per cent of the argument of the gentleman from Indiana has been directed to matters entirely foreign to this bill. I think it is unfair for him to leave the impression and seek to prejudice the committee against a bill by a tirade against the Post-office Department on matters that have nothing to do with this committee.

The Committee on Post-Offices and Post-Roads reported the gentleman's resolution without the change of a syllable, and it is not worthy, it is not deserving, of the criticism of the gentleman from Indiana. The fraud order belongs to another committee, is the result of another law, and not to the items contained in this bill.

Mr. CRUMPACKER. Will the gentleman yield?

Mr. OVERSTREET. Just a moment. I did not interrupt the gentleman. Now, the fraud order is authorized by a statute that has been on the books for almost a generation, and the Committee on Post-Offices and Post-Roads has nothing to do with it. This bill contains nothing relating to that statute. The criticism by the gentleman from Indiana against the espionage of the post-office inspectors as a basis for fraud orders is not a proper argument to sustain his amendment. That is what I am interested in. We have been debating under general debate for almost ten days nearly every conceivable subject, and now when we get to the bill itself it is left for the gentleman from Indiana to raise some extraneous subject which will probably prejudice the mind of somebody to attack this particular provision of the bill.

There is no law on the statute book, and I challenge the gentleman to cite a single one, bearing out his claim that the post-office inspector has authority or the right to assess a fine or to put anybody under arrest.

Mr. BUTLER of Pennsylvania. It is in the post-office regulations.

Mr. OVERSTREET. The post-office regulations do not authorize it either.

Mr. CRUMPACKER. The gentleman from Indiana has challenged me, and I want to state that post-office inspectors do have authority to make arrests. They perform regular detective service.

Mr. OVERSTREET. The post-office inspector merely carries out the instructions of the Postmaster-General in investigation, and he does not conclude that investigation, but it is left for

the Postmaster-General or the proper official of the Department to pass upon his report.

Now, Mr. Chairman, we have provided here for no additional post-office inspectors. We have provided here for no increase of salary, except such as I have named, but we have sought to give the advantage to these rural agents, clothe them with equal authority. The gentleman gives his figures as to the number of post-office inspectors, which I am sure is at least 50 per cent from the facts, and almost 100 per cent. I can not be expected to fight against imaginary accusations. We have stated here all the facts. We provide for the merger of these post-office inspectors authorized by law with the rural agents now in the service, and the gentleman moves to strike out 100 of these rural agents. I do not believe this committee, nor this House, and I do not believe the gentleman's constituents, will approve his striking out 100 rural agents. That is what his amendment amounts to. The amendment is to strike out the merger of 100 rural agents, which would mean their elimination from the service. Whatever may have been in the gentleman's mind, that will be the result of his amendment.

Mr. BUTLER of Pennsylvania. Whose amendment is it?

Mr. OVERSTREET. The gentleman from Indiana [Mr. CRUMPACKER] moves to strike out 100 agents and leave 42. I hope the committee will vote down the amendment.

Mr. CRUMPACKER. Mr. Chairman, I desire a minute to state to my colleague that I made no criticism of the Committee on Post-Offices and Post-Roads. I think in that assertion this committee will bear me out. I have made no reflection on the committee. I was making a criticism about the law, not even against the Post-Office Department, but the law under which some indefensible practices are going on.

Mr. OVERSTREET. Does the amendment have anything to do with that?

Mr. CRUMPACKER. Yes; it has this to do with it: It takes from the list of post-office inspectors who go about with these lettres de cachet in their pockets—it reduces their number by 100.

Now, in regard to my amendment, I expected when I had an opportunity to withdraw it. I wanted an opportunity to say something to the House on the fraud-order question and the practice that is going on over the country in the hope that it might possibly result in some wholesome legislation, not from the Post-Office Committee, because legislation of that kind should come from the Committee on Judiciary. The gentleman was a little bit too sensitive, I think, when he took to himself and his committee some of the criticisms I intended for the law and for the whole Congress, and not for the gentleman at all.

Mr. OVERSTREET. Then you admit your amendment does not seek to correct any of the things you desire to correct by that amendment?

Mr. CRUMPACKER. Not unless you strike out all the post-office inspectors. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn. [After a pause.] No objection is heard.

Mr. HUGHES. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from West Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 1, line 11, after the word "each," strike out "six" and insert "ten."

Mr. OVERSTREET. Mr. Chairman, I did not hear that amendment.

The amendment was again reported.

Mr. OVERSTREET. Well, I can not agree to that, and I hope the amendment will be voted down.

The question was taken; and the amendment was rejected.

Mr. BEALL of Texas. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry of the chairman of the committee. I desire to make this inquiry as to whether or not the Committee on Post-Offices and Post-Roads had any hearings before that committee upon the different items in this bill?

Mr. OVERSTREET. Most assuredly, Mr. Chairman, upon all the items.

Mr. BEALL of Texas. That was my impression. I want to follow that by another question. I want to know why it is impossible for a Member of this House at this time to have access to a copy of those hearings?

Mr. OVERSTREET. Why, Mr. Chairman, I can only say the Committee on Post-Offices and Post-Roads, like all other committees of the House, has a very limited authority in the way of printing. We printed all the copies that we felt we had authority to print and gave them out just as fast as Members inquired for them.

Mr. BEALL of Texas. How many copies were printed?

Mr. OVERSTREET. One hundred, I understand. We have general authority to print, which is only for the use of the committee, and we have very generously exhausted our entire supply by giving them to Members as fast as we had demands for the copies.

Mr. BEALL of Texas. Does not the custom prevail with other committees, with the authority they already have or by distinct authority secured from the House, to print a sufficient number of copies to give at least each Member of the House who wishes one a copy?

Mr. OVERSTREET. I do not so understand.

Mr. BEALL of Texas. So that those Members may ascertain what these hearings are?

Mr. OVERSTREET. My understanding is the committees of the House authorized to hold hearings are permitted to print a limited number of copies of the hearings for the use of the committee, and that number is usually a very limited number. There has certainly been no disposition on the part of the committee to decline to give out copies of the hearings, and we have given all they have I am informed.

Mr. BEALL of Texas. There are only about eighteen members of the committee. Then, according to the gentleman's position, it was necessary to have only eighteen copies printed?

Mr. OVERSTREET. Oh, if we limited it, logically that would be the result, but it costs a little more to print a hundred than it costs to print eighteen, and it costs much more to print 500.

Mr. BEALL of Texas. Does not the gentleman think it would have been much better to have had 500 copies printed in order that every Member of this House might have an opportunity to know something about what is contained in this bill?

Mr. OVERSTREET. Mr. Chairman, under the law a copy must be furnished to the Library. You will find a copy there, and the law does not provide for as many copies of the statute as there are Members of the House. I would ask the gentleman if he has inquired at the Library?

Mr. BEALL of Texas. I did not inquire at the Library, but I made divers and sundry inquiries elsewhere without success.

Mr. OVERSTREET. I am very sorry the gentleman was unable to secure a copy.

Mr. BEALL of Texas. Does not the gentleman think if he had made the effort that the House would have given him the permission to have had the additional number printed?

Mr. OVERSTREET. Why, anybody could have objected to it. Why did not you ask for it? This is the first time the gentleman has ever called my personal attention to it.

Mr. BEALL of Texas. But it is not the first time I have called the attention of members of the committee to it, because I have earnestly sought for two or three weeks to get possession of one of these precious documents containing the hearings before the committee over which the gentleman presides.

Mr. OVERSTREET. I suggest the gentleman can still ask for that in the House. Perhaps the gentleman will realize he is quite as much at fault as anybody else.

Mr. BEALL of Texas. No; I do not realize it; I do not admit it, because that was a matter peculiarly within the jurisdiction of the Committee on Post-Offices and Post-Roads. If these hearings are of any value to the committee, they would be, Mr. Chairman, of value to this House. There is more reason why the Members of this House should have the hearings than the members of the committee, because the members of the committee are situated so that they can be present and get the benefit of the hearings at the time they are had before the committee, but the only way by which the Members of this House can secure any information as to what is contained in this bill is through these hearings here in the House, and with almost four hundred Members only 100 copies of these important hearings are printed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FINLEY. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, I ask unanimous consent to extend the remarks I made this afternoon.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina? [After a pause.] The Chair hears none. Without objection, the pro forma amendment will be withdrawn.

The Clerk read as follows:

For traveling expenses of inspectors without per diem, and of inspectors in charge, expenses incurred by field inspectors not covered by per diem allowance, and traveling expenses of the chief post-office inspector, \$70,000.

Mr. JOHNSON. Mr. Chairman, on page 3 I desire to offer an amendment. Page 3, lines 15 and 16, strike out the words "and traveling expenses of the Chief Post-Office Inspector."

When the legislative, executive, and judicial appropriation bill was before this House on the 29th of March, I interrogated the chairman of the committee, or the gentleman having charge of the bill [Mr. LITTAUER], and inquired of him why the salary of the Chief Inspector had been increased in that bill. You will find on page 4584 that the gentleman in charge of the bill explained that it was a very responsible position, that the chief inspector resided in Washington, and that he received no per diem allowance or traveling expenses, and for that reason the Committee on Appropriations increased his salary \$500 in the legislative, executive, and judicial appropriation bill.

Mr. OVERSTREET. If the gentleman will permit me, do I understood the gentleman to say that the record shows, from a statement made by the chairman of the Committee on Appropriations, that the increase of salary of the Chief Post-Office Inspector was because he received nothing for traveling expenses? If that is true, I will accept the gentleman's amendment.

Mr. JOHNSON. I will read what the gentleman told me in answer to my question.

Mr. OVERSTREET. I simply want to get the record, Mr. Chairman.

Mr. JOHNSON (reading)—

Mr. JOHNSON. Is there any increase in salaries?

Mr. LITTAUER. The Chief Inspector's salary is increased.

Mr. JOHNSON. What was the reason for increasing his salary?

Then the colloquy proceeded. He was speaking about the salaries of other people, and I said the only way to equalize was to equalize up, and then Mr. TAWNEY said:

He resides here in Washington, is located here in the Department, and receives no per diem allowance whatever. He gets nothing but straight salary, while the other inspectors have per diem and traveling expenses in addition to their salary.

Upon that statement this House increased his salary \$500. That increase having been made for that reason, I propose to strike from this bill the provision for traveling expenses.

Mr. OVERSTREET. Mr. Chairman, this committee has no jurisdiction over the Chief Post-Office Inspector, and has nothing to do with the increase of his salary, if such increase has been made. The fact is, however, he has headquarters in the city of Washington, and must necessarily, in the discharge of his general duties, at various times during the year travel from his headquarters. He does not receive any per diem, but has a straight salary. Now, the record which the gentleman has just read did not, if I correctly understood it, make any suggestion about his traveling expenses. He says he receives no per diem. That record, unless I failed to hear it aright, did not state that he did not receive any traveling expenses; therefore I think the amendment ought to be voted down.

Mr. JOHNSON. Well, will the gentleman let me read it again?

Mr. OVERSTREET. I will.

Mr. JOHNSON. This is from Mr. TAWNEY, chairman of the Committee on Appropriations, on page 4472 of the RECORD of March 29. Referring to the Chief Inspector, he said:

He resides here in Washington, is located here in the Department, and receives no per diem allowance whatever. He gets nothing but straight salary, while the other inspectors have per diem and traveling expenses in addition to their salary.

Mr. OVERSTREET. Well, Mr. Chairman, I am obliged to take exception to the statement made by the chairman of the Committee on Appropriations just referred to. All inspectors do not get per diem and traveling expenses. The fact yet remains that record does not state that the Chief Post-Office Inspector gets "no traveling expenses." It said he got no per diem. We are making no provision for per diem, and only provision for such traveling expenses on official duty while away from his home, his domicile, and his official headquarters. I think the amendment of the gentleman ought to be voted down.

Mr. HULL. Are not the per diem expenses allowed to the other inspectors intended for traveling expenses? Is not that a fact, whether you call it traveling expenses or per diem expenses? Is it not really the same thing?

Mr. OVERSTREET. That has been regarded substantially as a substitute.

Mr. HULL. In the one case they are limited, so that the amount can not exceed \$4 a day, while in the other case if their expenses are more, they are allowed for. Is not that the only difference?

Mr. OVERSTREET. No matter what the difference is, in respect to this particular officer, he receives no per diem, but should receive his actual expenses when traveling away from his home, his official headquarters, and his domicile. That is all this provides. Now, we have nothing to do with the increase of the salary. I do not know whether it is meritorious or not. I

was not on the floor at the time that subject was under consideration, as referred to by the gentleman. I only know this, Mr. Chairman, that in view of the necessities of good administration the Chief Post-Office Inspector is obliged at times to leave his headquarters, in strict obedience to the necessities of the administration, and when he does, his actual expenses should be provided for. That is all this provision seeks to do.

Mr. SMITH of Kentucky. I should like to ask the gentleman a question.

Mr. OVERSTREET. I yield to the gentleman from Kentucky.

Mr. SMITH of Kentucky. If this language does not mean that the Chief Inspector received no traveling expenses heretofore, I should like to know what it does mean.

Mr. OVERSTREET. Mr. Chairman, if the gentleman will pardon me, I said a moment ago that I could not accept that statement, even though it were made by the chairman of the Committee on Appropriations, because, as a matter of fact, I know he has received traveling expenses. This is identically the same language as the existing law, so that if that statement was made, it was a mistaken statement.

Mr. SMITH of Kentucky. So that if the committee in that case was led to increasing the salary of this inspector upon the theory that he received no traveling expenses, they did so under a misapprehension.

Mr. OVERSTREET. I think so.

Mr. LACEY. I move to strike out the last word. I do it for the purpose of making an inquiry of the chairman of the committee. I notice on page 2 that the inspectors are rated at from \$2,250 down as low as \$1,200. Then it further provides that they may be allowed, in the discretion of the Postmaster-General, not to exceed \$4 per day as a per diem allowance when out on the road and engaged in the performance of their duties.

Mr. OVERSTREET. Those who receive less than \$2,000 get that per diem allowance when out on duty.

Mr. LACEY. That is what I was coming to. Now, it provides that the man who draws over \$2,000 a year shall not have a per diem, so that what I want to know is this: A post-office inspector drawing \$1,800 a year is allowed by the Department \$4 a day per diem in addition to that, making his income over and above his traveling expenses amount, perhaps, to \$2,600 or \$2,800 a year, while the \$2,000 man can not draw the per diem at all, apparently, on the face of this bill. Now, what is the reason for that?

Mr. OVERSTREET. It is perfectly simple, if the gentleman will permit me.

Mr. LACEY. That is what I wish to know.

Mr. OVERSTREET. The men who are receiving salaries of \$2,000 and upward are stationed at fixed points.

Mr. LACEY. All of them.

Mr. OVERSTREET. All of them. Of course, from time to time it becomes necessary for them to go away, when conducting investigations and matters of that sort.

Mr. LACEY. When they are ordered away, should they not have their per diem?

Mr. OVERSTREET. They get their actual traveling expenses then.

Mr. LACEY. The others get their expenses and per diem both?

Mr. OVERSTREET. Oh, no; not at all. They only get the per diem in lieu of all of their expenses.

Mr. LACEY. Including their traveling fare?

Mr. OVERSTREET. Certainly.

Mr. GAINES of West Virginia. I think not.

Mr. OVERSTREET. They are allowed to ride free on trains that carry postal cars.

Mr. CLARK of Missouri. Will the gentleman yield?

Mr. OVERSTREET. I yield to the gentleman from Missouri.

Mr. CLARK of Missouri. I should like to ask if the traveling expenses of the Chief Inspector include his hotel bills and all of his expenses?

Mr. OVERSTREET. Oh, certainly; his actual expenses.

Mr. CLARK of Missouri. The upshot of the thing is, then, taking this bill in connection with the legislative, executive, and judicial appropriation bill, that we increase the salary of this man because he gets no per diem.

Mr. OVERSTREET. Mr. Chairman, if the gentleman will pardon me, I said a while ago that I did not want to be bound by the reasons given in that debate for the increase in the salary.

Mr. CLARK of Missouri. I will put it another way, then.

Mr. OVERSTREET. We are simply providing here as we always have provided, and, in my judgment, always should pro-

vide, for the actual traveling expenses of this official when he is away on official business.

Mr. CLARK of Missouri. The upshot of these two bills is this, that for some reason—as far as the gentleman from South Carolina [Mr. JOHNSON] is concerned, he says it was in lieu of per diem; it may have been for some other reason on the part of other gentlemen—but for some reason this man's salary was increased \$500 per year in the other bill. Now it is increased by the sum total of whatever his traveling expenses may be. So that you have two increases for the same man at the same time.

Mr. OVERSTREET. But the expense would be in the interest of the Government upon whose official business he happened to be called. He has been receiving it all the time. Mr. Chairman, I ask for a vote.

Mr. CLARK of Missouri. Then an inspector who lives in Washington is financially better off while away from home if his expenses are paid than he is while staying at home?

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn. The question is on the amendment offered by the gentleman from South Carolina.

The question was taken; and on a division (demanded by Mr. JOHNSON) there were—ayes 25, noes 67.

So the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL.

For compensation to postmasters, \$24,000,000.

Mr. RIXEY. Mr. Chairman, I move to strike out the last word. I want to say that there are men who have responsible and quasi official duties to perform and for whom I see no provision in this bill. I refer to the post-office referees in the Southern States. [Laughter.] I would like to ask the chairman of the Post-Office and Post-Roads Committee whether this bill carries any salary or compensation for those referees?

Mr. OVERSTREET. I will state to the gentleman that my district is included in the referee schedule. [Laughter.]

Mr. RIXEY. I had heard that possibly the gentleman's district was included and treated as southern territory. [Laughter.] Mr. Chairman, I can possibly best illustrate the objections to the present system of appointment of postmasters and establishment of post-offices by reference to my own district as an example. Something over twelve months ago the Post-Office Department appointed three gentlemen in the Eighth district of Virginia for the purpose of recommending persons to be appointed to fourth-class offices. To these three gentlemen were referred all applications and petitions for appointments as postmasters in the fourth-class offices. To them were also referred petitions for the establishment of new post-offices. These three gentlemen lived in different parts of the district. They divided up the territory among themselves and persons who were applicants for postmasters had to go to the referee in whose territory the county happened to be for recommendation for appointment to offices.

Mr. BYRD. Will the gentleman allow me a question?

Mr. RIXEY. Certainly.

Mr. BYRD. Did the Member of Congress have anything to do with the appointment of the referees?

Mr. RIXEY. The Member of Congress had nothing to do with the appointment of the referees or the appointment of the postmasters. I am not complaining that I am not consulted about the appointment of postmasters; I do not ask it, but I do insist that when the people in my district want a post-office established, or a postmaster appointed, I have a right to go to the Department here in Washington for that information, and not to be told, as I am told frequently, that the matter has been referred to the post-office referees—gentlemen who are irresponsible, so far as their official connection with the Department is concerned. These referees decide who shall be the postmaster and where the post-office shall be located, of course subject to the approval of the Department, which is generally given as a matter of course. It would not like to turn down its assistants who serve without pay.

This condition of affairs should be changed. It is not right that people from my district, who come here to interview the Department on this subject, should be unable to secure any information until this referee—assistant to the First Assistant Postmaster-General—makes his report. Instead of being able to obtain information at the Department, I have been compelled to tell some of my constituents to go and see the referee, and get his indorsement. These referees were appointed something over twelve months ago. One has since been made collector of internal revenue and moved his office to the city of Rich-

mond, another has since been appointed a clerk in the Pension Bureau, and the third one, and not an officeholder, has resigned. [Laughter.]

Now, Mr. Chairman, I do insist that the Post-Office Department, when I come with the recommendation for the establishment of a post-office, shall not refer me to the pension clerk here in Washington, or refer me to the gentleman who holds a Federal office in the city of Richmond, or tell me to wait until these gentlemen report. Why should not the patrons of the office be consulted? The system of appointment of postmasters and location of post-offices by referees—who are generally either Federal officeholders or aspirants for some office—is a disgrace to this Government, and is a positive proof of the incapacity of the Post-Office Department. The First Assistant Postmaster-General, who has charge of this matter, should change the rules of that Department, or, if he can not administer his office, should resign, or this House should cut down the compensation that he receives. [Applause.]

The Clerk read as follows:

For compensation to assistant postmasters at first and second class post-offices: Two, at \$3,500 each; 25, at \$3,000 each; 5, at \$2,500 each; 2, at \$2,000 each; 12, at \$1,900 each; 20, at \$1,800 each; 55, at \$1,700 each; 100, at \$1,600 each; 90, at \$1,500 each; 100, at \$1,400 each; 210, at \$1,300 each; 350, at \$1,200 each; 340, at \$1,100 each; 250, at \$1,000 each; 60, at \$900 each; 60, at \$800 each, and 60, at \$700 each; in all, \$2,123,800.

Mr. OVERSTREET. Mr. Chairman, I move to amend, in line 23, page 4, after the word "all," to insert "not to exceed."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 23, after the word "all," insert "not to exceed."

The question was taken; and the amendment was agreed to.

Mr. BENNET of New York. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 4, line 9, strike out "thirty-five hundred" and insert in lieu thereof "four thousand."

Mr. OVERSTREET. Mr. Chairman, I make the point of order that this is contrary to existing law.

Mr. BENNET of New York. Mr. Chairman, will the gentleman reserve the point of order for a minute and a half?

Mr. OVERSTREET. I reserve the point of order.

The CHAIRMAN. The gentleman from Indiana reserves the point of order.

Mr. BENNET of New York. Mr. Chairman, unquestionably if the point of order is pressed, it is good; but I simply want to call the attention of the House to the fact that every assistant postmaster in the whole United States is paid on a schedule which is identical, except those in Chicago and New York, and that schedule provides that they shall be paid at the rate of 50 per cent of the salary of the postmaster. Those in Chicago and New York, with all the duties that they have, are not paid as well as the men in other cities, and I think that injustice ought to be corrected. If this amendment were adopted it would correct it.

Mr. OVERSTREET. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. OVERSTREET. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 16953—the Post-Office appropriation bill—and had come to no resolution thereon.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. HULL, by direction of the Committee on Military Affairs, reported the bill (H. R. 18030) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1907, and for other purposes; which was read the first and second times, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. SULZER. Mr. Speaker, I reserve all points of order upon the bill.

The SPEAKER. The gentleman from New York reserves all points of order upon the bill.

LAWS IN RELATION TO THE DISTRICT OF ALASKA.

Mr. COLE. Mr. Speaker, I ask unanimous consent to take up the bill H. R. 12872.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 12872) to amend an act entitled "An act to amend and codify the laws relating to municipal corporations in the district of Alaska," approved April 28, 1904.

Be it enacted, etc., That the act entitled "An act to amend and codify the laws relating to municipal corporations in the district of Alaska," approved April 28, 1904, be, and the same hereby is, amended by adding at the end of section 2 thereof the following:

"Provided, That any town heretofore or hereafter incorporated in the district of Alaska may extend or otherwise modify its boundaries in the manner hereinafter provided. A petition praying for such extension or modification shall first be presented to the judge of the United States district court presiding over the court in the judicial division in which the town is located, which petition shall be signed by at least sixty qualified voters of said town and shall specify the existing boundaries, as well as the proposed new boundaries of such town, the number of inhabitants thereof, and such other facts as may tend to show good ground for such extension or modification of boundaries. The judge shall thereupon, by an order, fix a time and place for considering said petition, which time shall not be less than thirty days after the date of such order. A printed or typewritten copy of said order shall be posted in three of the most public places in said town at least thirty days prior to the time fixed for considering said petition. At the time and place fixed for considering said petition the judge shall give a reasonable hearing to those who are in favor of and to those who are opposed to the same; and if he is satisfied that it is for the best interest and welfare of the people of such town for the boundaries thereof to be changed, he shall, by an order, so adjudge. He shall also, by said order, specify the changes which he deems necessary in the boundaries, and direct that at the time of holding the next annual election in said town, or sooner, if deemed necessary, an election be held, by separate ballot, as prescribed in the case of an original incorporation, to determine whether the people of such town desire the boundaries thereof changed. A printed or typewritten copy of said order shall be posted at three of the most public places within said town at least thirty days prior to the day of election. Every person qualified as an elector in said town shall be qualified to vote upon the question of the proposed change of boundaries thereof. Said election shall be held under the charge of the officers of the town appointed for the purpose of holding elections; and all proceedings subsequent to such election, down to the entry of the order of the judge making such change of boundaries, shall be the same, so far as may be, as the proceedings upon the original incorporation of a town."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and it was read the third time, and passed.

On motion of Mr. COLE, a motion to reconsider the last vote was laid on the table.

GRANTING CERTAIN LANDS TO DURANGO, COLO.

Mr. HOGG. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 2188.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 2188) granting to the city of Durango, in the State of Colorado, certain lands therein described for water reservoirs.

Be it enacted, etc., That the following-described tract of land situate in suspended townships 38 north, range 6 west, and 38 north, range 7 west, New Mexico principal meridian, in La Plata County, Colo., to wit: Beginning at corner No. 1, at the junction of Missouri Gulch with the Florida River, running thence north 20 degrees and 7 minutes east 4,900 feet to station No. 2; thence north 77 degrees and 2 minutes east 1,080 feet to station No. 3; thence north 8 degrees and 24 minutes east 2,400 feet to station No. 4; thence north 7 degrees and 28 minutes west 4,600 feet to station No. 5; thence north 10 degrees and 23 minutes east 5,400 feet to station No. 6; whence corner No. 1, reservoir No. 3, or Lake Lily, bears south 50 degrees and 7 minutes east 1,200 feet; from said corner No. 1, Lake Lily, the monument on Mount Valois bears south 23 degrees and 10 minutes east 4,792.6 feet; United States location monument Tempest bears south 31 minutes east 2,896 feet; thence from station No. 6, aforesaid, north 87 degrees and 31 minutes east 1,550 feet to station No. 7; thence south 38 degrees and 37 minutes east 3,300 feet to station No. 8; thence south 84 degrees and 30 minutes east 2,700 feet to station No. 9; thence south 33 minutes east 4,000 feet to station No. 10; thence south 30 degrees and 24 minutes east 2,500 feet to station No. 11; thence south 77 degrees and 26 minutes east 3,200 feet to station No. 12; thence south 43 degrees and 51 minutes east 1,750 feet to station No. 13; thence south 5 degrees and 58 minutes west 2,250 feet to station No. 14; thence south 44 degrees and 17 minutes west 2,000 feet to station No. 15; thence south 77 degrees and 31 minutes west 4,800 feet to station No. 16; thence south 54 degrees and 45 minutes west 3,300 feet to station No. 17; thence north 87 degrees and 27 minutes west 6,400 feet, more or less, to station No. 1, the place of beginning; including those four certain reservoirs claimed or occupied by said city of Durango, known as reservoir No. 1 or upper park reservoir; reservoir No. 2 or Santa Maria Lake; reservoir No. 3 or Lake Lily, and reservoir No. 4 or Lakeside Lake, subject to any former grant or conveyance affecting said lands, be, and the same are hereby, granted and conveyed to the city of Durango, county of La Plata and State of Colorado, to have and to hold said lands to its use and behoof forever for the purposes of water storage and supply of its waterworks and the protection of its water supply, and for such purposes said city shall forever have the right in its discretion to control and use any and all parts of the said premises herein granted and conveyed in the construction of reservoirs, conduits, and flumes, and in the laying of pipes and mains and in making such improvements as may be necessary to store, utilize, protect from pollution, and enjoy the waters contained in any natural or constructed reservoir, basins, or waterways upon said premises.

SEC. 2. That if the said city of Durango shall, at any time hereafter, abandon the lands above described and cease to use the same for said purposes said above-described lands shall revert to the Government of the United States.

The committee amendments were read, as follows:

Amend, on page 1, in line 6, after the word "Colorado," by inserting the words "within the San Juan Forest Reserve."

Further amend by adding the following provisos to section 1, on page 4: "Provided, That the city of Durango shall pay for said land \$1.25 per acre: *Provided further*, That the Forest Service of the United States Department of Agriculture shall have full power to patrol the said lands, and to protect them from fire and trespass: *Provided further*, That the Forest Service may dispose of the timber upon the said lands, except so much thereof as may be growing within 100 feet from the margin of any natural or constructed reservoir or of the main creeks within the said boundary flowing into any such reservoirs, under such additional rules for lumbering to protect said waters from pollution as shall be prescribed by the Forester and approved by the mayor of the city of Durango: *And provided further*, That if said city shall fence all or any part of said lands it shall provide practicable gates in such fence at points to be designated by the supervisor of the San Juan Forest Reserve."

The SPEAKER. Is there objection?

Mr. WILLIAMS. Reserving the right to object—

Mr. HOGG. Mr. Speaker, I would like to move to amend by striking out the second section.

The SPEAKER. The gentleman gives notice in case the bill is considered he will move to strike out the second section.

Mr. WILLIAMS. What does section 2 do?

Mr. HOGG. It contains a provision for a reversion of the property back to the Government in case they cease to use it. That was done when the original bill did not provide for the payment to the Government of this dollar and twenty-five cents an acre. This amendment which has been suggested by the committee charges them a dollar and a quarter an acre, which is the Government price, and this amendment obviates the necessity for that provision. They have to pay for the land at the Government price.

Mr. WILLIAMS. Is that all the land is worth?

Mr. HOGG. It is not worth that for any other purpose.

Mr. WILLIAMS. Is this a unanimous report of the committee?

Mr. HOGG. Yes, sir.

Mr. WILLIAMS. Is there a lawsuit now between the State of Kansas and Colorado affecting the use of the waters of this river?

Mr. HOGG. No; this water flows into the Gulf of California, in the western portion of the State.

Mr. WILLIAMS. This is the other river?

Mr. HOGG. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment offered by the gentleman from Colorado.

The Clerk read as follows:

Strike out section 2.

The amendment was agreed to.

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was read the third time, and passed.

On motion of Mr. HOGG, a motion to reconsider the last vote was laid on the table.

Mr. HOGG. Mr. Speaker, I have another bill—H. R. 10292.

Mr. WILLIAMS. Mr. Speaker, if this is the request for unanimous consent, I will be forced to object.

Mr. HOGG. It is very short.

Mr. WILLIAMS. Perhaps at some other time I might not object to it, but I object now.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 12843. An act to amend the seventh section of the act entitled "An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, and the several acts amendatory thereto; and

S. 3292. An act to incorporate the Grand Council of the United States of the Improved Order of Red Men.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 4302. An act to amend the provision in an act approved March 3, 1899, imposing a charge for tuition on nonresident pupils in the public schools of the District of Columbia;

S. 4426. An act to amend section 927 of the Code of Law for the District of Columbia, relating to insane criminals; and

S. 4168. An act to correct a typographical error in act approved July 1, 1898, entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District."

LEAVE OF ABSENCE.

By unanimous consent, Mr. SCROGGY was granted leave of absence indefinitely, on account of illness.

Mr. OVERSTREET. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned to meet to-morrow, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Secretary of War submitting an estimate of appropriation for relief of Col. Luis Fontana y Esteve, of Iligan, Mindanao, P. I.—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, submitting, with a copy of a communication from the Auditor of the Department, a recommendation as to the destruction of certain papers—to Joint Select Committee on Disposition of Useless Papers in the Executive Departments, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. NORRIS, from the Committee on Election of President, Vice-President, and Representatives in Congress, to which was referred the House joint resolution (H. J. Res. 120) proposing an amendment to the Constitution of the United States, providing for the election and term of office of members of Congress, reported the same without amendment, accompanied by a report (No. 3165); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BATES, from the Joint Select Committee on Disposition of Useless Papers in the Executive Departments, to which was referred House Document No. 593, relative to the disposition of useless papers in the Treasury Department, reported the same, accompanied by a report (No. 3168); which said document and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SPIGHT, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 11932) to grant American registry to the bark *Home-ward Bound*, reported the same without amendment, accompanied by a report (No. 3166); which said bill and report were referred to the Private Calendar.

Mr. GOULDEN, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 7014) to provide American registers for the steamers *Marie* and *Success*, reported the same without amendment, accompanied by a report (No. 3167); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DENBY: A bill (H. R. 18022) to suspend the coming of Chinese laborers into the United States, and to provide for the admission into the United States of certain other Chinese persons and persons of Chinese descent, and for other purposes—to the Committee on Foreign Affairs.

By Mr. MURPHY: A bill (H. R. 18023) in relation to practice in civil actions in the District of Columbia—to the Committee on the Judiciary.

By Mr. BURTON of Ohio: A bill (H. R. 18024) for the control and regulation of the waters of Niagara River, for the preservation of Niagara Falls, and for other purposes—to the Committee on Rivers and Harbors.

By Mr. CRUMPACKER: A bill (H. R. 18025) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places

in the Philippine Archipelago, and for other purposes—to the Committee on Insular Affairs.

By Mr. STEENERSON: A bill (H. R. 18026) permitting the building of a dam across the Mississippi River near the city of Bemidji, Beltrami County, Minn.—to the Committee on Interstate and Foreign Commerce.

By Mr. PATTERSON of North Carolina: A bill (H. R. 18027) to provide for the purchase of Fort Fisher, in the State of North Carolina, and to establish a national park thereat, and so forth—to the Committee on Military Affairs.

By Mr. PARSONS: A bill (H. R. 18028) making appropriations for the repair and improvement of the court-house and post-office building at New York City, N. Y., and the sidewalks surrounding the same—to the Committee on Public Buildings and Grounds.

By Mr. LOUD: A bill (H. R. 18029) to fix the salaries of tea examiners at the various ports of the United States—to the Committee on Ways and Means.

By Mr. HULL, from the Committee on Military Affairs: A bill (H. R. 18030) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1907, and for other purposes—to the Union Calendar.

By Mr. STEPHENS of Texas: A joint resolution (H. J. Res. 135) to reduce the rentals of certain Indian lands in Oklahoma Territory—to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN of Maine: A bill (H. R. 18031) granting an increase of pension to Daniel H. Toothaker—to the Committee on Invalid Pensions.

By Mr. BARTLETT: A bill (H. R. 18032) granting an increase of pension to Mary H. Scott—to the Committee on Pensions.

By Mr. BONYNGE: A bill (H. R. 18033) granting an increase of pension to Ida R. Broadwell—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 18034) granting a pension to Mary A. Montgomery—to the Committee on Pensions. Also, a bill (H. R. 18035) granting a pension to Jacob N. McCullough—to the Committee on Pensions.

Also, a bill (H. R. 18036) granting a pension to William White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18037) granting a pension to John S. Alderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18038) granting an increase of pension to E. W. Briggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18039) granting an increase of pension to John W. Stephens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18040) granting an increase of pension to Thomas Akin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18041) granting an increase of pension to William R. Hiner—to the Committee on Invalid Pensions.

By Mr. BROWN: A bill (H. R. 18042) granting an increase of pension to James H. Sinclair—to the Committee on Invalid Pensions.

By Mr. BYRD: A bill (H. R. 18043) for the relief of Thomas P. Burnham, administrator of the estate of D. J. Burnham, deceased—to the Committee on War Claims.

By Mr. CAMPBELL of Ohio: A bill (H. R. 18044) granting an increase of pension to Thomas Murphy—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 18045) granting an increase of pension to John M. Webb—to the Committee on Invalid Pensions.

By Mr. DICKSON of Illinois: A bill (H. R. 18046) granting an increase of pension to John H. Allison—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: A bill (H. R. 18047) granting an increase of pension to William Carpenter—to the Committee on Pensions.

By Mr. HULL: A bill (H. R. 18048) granting a pension to Mary G. Cummins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18049) granting an increase of pension to James M. Means—to the Committee on Invalid Pensions.

By Mr. KEIFER (by request): A bill (H. R. 18050) to enable the President to restore Second Lieut. Henry Ossian Flipper to duty, rank, and status in the United States Army—to the Committee on Military Affairs.

By Mr. KENNEDY of Nebraska: A bill (H. R. 18051) for the relief of Charles A. Hubbard—to the Committee on Claims.

By Mr. LAFEAN: A bill (H. R. 18052) granting a pension to John Lewis Bernard Breighner—to the Committee on Invalid Pensions.

By Mr. CHARLES B. LANDIS: A bill (H. R. 18053) granting a pension to Willis R. Denny—to the Committee on Invalid Pensions.

By Mr. LAW: A bill (H. R. 18054) granting an increase of pension to Stewart J. Donnelly—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 18055) for the relief of the estate of Solomon Landis, deceased—to the Committee on War Claims.

By Mr. McGUIRE: A bill (H. R. 18056) granting an increase of pension to Moses Davis—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 18057) for the relief of the estate of James S. Ford, deceased—to the Committee on War Claims.

By Mr. MILLER: A bill (H. R. 18058) granting an increase of pension to John Bailey—to the Committee on Invalid Pensions.

By Mr. MOUSER: A bill (H. R. 18059) granting an increase of pension to Catherine McDowell—to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 18060) granting a pension to Shray J. Harwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18061) granting an increase of pension to Oliver W. Shockley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18062) granting an increase of pension to Henry Shireman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18063) granting an increase of pension to William C. Peterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18064) granting an increase of pension to James M. Watts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 18065) to amend and correct the records of Company I, Fourth Regiment Missouri Volunteer Infantry, by including the name of William J. Elmer therein, with the dates of his enlistment and discharge—to the Committee on Military Affairs.

By Mr. NORRIS: A bill (H. R. 18066) granting an increase of pension to Alexander M. Fergus—to the Committee on Invalid Pensions.

By Mr. RANDELL of Louisiana: A bill (H. R. 18067) granting an increase of pension to Joseph Guiott—to the Committee on Invalid Pensions.

By Mr. RUPPERT: A bill (H. R. 18068) removing the charge of desertion from the naval record of Frederick T. Thompson—to the Committee on Naval Affairs.

By Mr. SAMUEL: A bill (H. R. 18069) granting an increase of pension to Cornelius Vanderbilt—to the Committee on Invalid Pensions.

By Mr. SCHNEEBELI: A bill (H. R. 18070) for the relief of Josiah Sault—to the Committee on Military Affairs.

Also, a bill (H. R. 18071) for the relief of Samuel Snyder—to the Committee on Military Affairs.

By Mr. SMITH of Texas: A bill (H. R. 18072) granting an increase of pension to Charles W. Bracken—to the Committee on Pensions.

Also, a bill (H. R. 18073) granting an increase of pension to Mary McFarlane—to the Committee on Pensions.

By Mr. STANLEY: A bill (H. R. 18074) for the relief of the estate of W. C. Russell, deceased—to the Committee on War Claims.

By Mr. SULZER: A bill (H. R. 18075) granting a pension to Anna E. Kingston—to the Committee on Invalid Pensions.

By Mr. ZENOR: A bill (H. R. 18076) granting an increase of pension to Elizabeth Bartley—to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 17547) granting an increase of pension to Florence L. M. Mentz, and it was referred to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of the T Square Club, of Philadelphia, for preservation of Niagara Falls—to the Committee on Rivers and Harbors.

By Mr. ADAMS of Pennsylvania: Petition of the T Square

Club, of Philadelphia, for preservation of Niagara Falls—to the Committee on Rivers and Harbors.

Also, petition of Andrew Elssler, jr., et al., for the Gardner bill favoring restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. AIKEN: Paper to accompany bill for relief of Elizabeth Hodges—to the Committee on Pensions.

By Mr. BARTHOLDT: Petition of the St. Louis Credit Men's Association, against repeal of the bankruptcy law—to the Committee on the Judiciary.

Also, petition of Camp Lorange B. De Witt, Army of the Philippines, for bill by Mr. ROBERT W. BONYNGE, of Colorado, relative to medals for officers and enlisted men of the Army—to the Committee on Military Affairs.

Also, petition of citizens of St. Louis County, against consolidation of third and fourth class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. BEALL of Texas: Paper to accompany bill for relief of Andrew C. Woodard—to the Committee on Pensions.

Also, paper to accompany bill for relief of J. J. Elliott—to the Committee on Pensions.

By Mr. BENNETT of Kentucky: Paper to accompany bill for relief of Thomas B. Hutchinson—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of W. H. Dobbins—to the Committee on Invalid Pensions.

By Mr. BINGHAM: Petition of the T Square Club, of Philadelphia, against commercial spoliation of Niagara Falls—to the Committee on Rivers and Harbors.

By Mr. BOUTELL: Petition of citizens of Glenwood, Iowa, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BRUNDIDGE: Paper to accompany bill for relief of Thomas Aiken—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of William R. Hiner—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of William White—to the Committee on Invalid Pensions.

Also, petition of the Independence County (Ark.) Union, for a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany bill for relief of John W. Stephens—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Petition of Victor Grange, North Fairfield, Me., for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Mr. CLARK of Florida: Petition of many citizens of New York and vicinity, for relief for heirs of victims of *General Slocum* disaster—to the Committee on Claims.

By Mr. COLE: Petition of citizens of Bellefontaine, Ohio, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. COOPER of Wisconsin: Petition of citizens of Racine and Somers, Wis., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. DARRAGH: Petition of citizens of Lakeview, Mich., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. DRISCOLL: Petition of Kemp, Burpee & Co., the Syracuse Chilled Plow Company, and A. R. Fairbanks et al., for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

By Mr. FOWLER: Petition of citizens of Elizabeth, Dover, Rahway, Rockaway, Plainfield, Hope, Summit, Roselle, and Westfield, N. J., for bill H. R. 15442—to the Committee on Immigration and Naturalization.

By Mr. GARDNER of Massachusetts: Petition of the Twenty-fourth Club of Haverhill, Mass., for legislation to improve the condition of women labor in the United States—to the Committee on the District of Columbia.

By Mr. GILLET of Massachusetts: Petition of North Brookfield (Mass.) Grange, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

By Mr. GLASS: Paper to accompany bill for relief of William H. Patterson—to the Committee on Invalid Pensions.

By Mr. GOEBEL: Petition of the Nomad Club, of Cincinnati, Ohio, for preservation of Niagara Falls—to the Committee on Rivers and Harbors.

By Mr. GOLDFOGLE: Petition of the National Council of Women of the United States, for a child's bureau in the District of Columbia (child-labor bill)—to the Committee on the District of Columbia.

By Mr. GRAHAM: Petition of J. M. McElvany et al., for relief of the landless Indians of northern California—to the Committee on Indian Affairs.

By Mr. HAMILTON: Petition of citizens of Bangor, Mich., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of soldiers of Summitsville, Ind., for increase of pension for ex-prisoners of war (H. R. 15585)—to the Committee on Invalid Pensions.

By Mr. HASKINS: Petition of Eclipse Grange, of Thetford, Vt., for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

By Mr. HAYES: Petition of the First Congregational Church of Redwood City, Cal., for relief for Indians of California—to the Committee on Indian Affairs.

Also, petition of J. G. Watson et al., for relief of certain landless Indians in northern California—to the Committee on Indian Affairs.

Also, petition of the National Council of Women of the United States, for bills S. 50 and H. R. 4462 and 6001 (child-labor bills)—to the Committee on the District of Columbia.

Also, petition of citizens of Santa Clara County, Cal., for relief of Indians in California—to the Committee on Indian Affairs.

Also, petition of M. Bulman, against passage of bill H. R. 12973—to the Committee on Foreign Affairs.

By Mr. HILL of Connecticut: Paper to accompany bill for relief of William Carpenter—to the Committee on Invalid Pensions.

By Mr. HOUSTON: Paper to accompany bill for relief of estate of N. B. Reese (previously referred to the Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. LAFEAN: Petition of A. B. Farquhar, of York, Pa., for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

By Mr. LIVINGSTON: Paper to accompany bill for relief of estate of Solomon Landis, of Fulton County, Ga.—to the Committee on War Claims.

By Mr. LOUD: Petition of many citizens of Michigan, against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of citizens of Rose City, Mich., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. PEARRE: Petition of citizens of Takoma Park, Md., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. REEDER: Petition of citizens of Glen Elder, Kans., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SCHNEEBELI: Petition of the Baltimore and Philadelphia Steamboat Company, against bill H. R. 17129 (on a patented article)—to the Committee on Interstate and Foreign Commerce.

Also, petition of Henson & Pearson, the Provident Lumber Company, the Lumberman's Exchange, the W. M. Lloyd Company, and the H. C. Patterson Company, all of Philadelphia, for bill H. R. 5281—to the Committee on the Merchant Marine and Fisheries.

By Mr. SMITH of Kentucky: Paper to accompany bill for relief of William Petit—to the Committee on Pensions.

By Mr. SOUTHARD: Petition of Cuyahoga Lodge, No. 20, of the Brotherhood of Boiler Makers and Iron-ship Builders of America, for the shipping bill—to the Committee on the Merchant Marine and Fisheries.

Also, petition of M. C. Trout, urging that the Postmaster-General be required to show cause for issuing the fraud order against the People's Bank—to the Committee on Rules.

Also, petition of Katherine C. Murphy, Mrs. W. A. Somerville, and Mrs. Ella C. Magruder, for legislation to investigate the industrial condition of women in the United States—to the Committee on the District of Columbia.

Also, petition of numerous veteran soldiers of Ohio, for the Dalzell bill (H. R. 9)—to the Committee on Invalid Pensions.

By Mr. SPIGHT: Papers to accompany bill H. R. 17944, relative to a bridge across Tallahatchie River, Mississippi—to the Committee on Interstate and Foreign Commerce.

By Mr. TOWNSEND: Petition of Onsted (Mich.) Grange, for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, petition of citizens of Jackson County, Mich., against religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. WEEMS: Petition of R. P. Scott et al., for repeal of revenue tax on denaturalized alcohol—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Theodore T. Buell—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, April 12, 1906.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULBERSON, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

BUREAU OF ENGRAVING AND PRINTING.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Director of the Bureau of Engraving and Printing submitting an increase in the force provided for in the legislative, executive, and judicial appropriation bill as proposed by the House of Representatives, and heretofore paid from the appropriations for engraving and printing, and suggesting an amendment to the restrictive provision in connection therewith; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

FOREST RESERVES.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of the 5th instant, a statement of the amount of money that has been collected under the provisions of section 5 of an act entitled "An act providing for the transfer of forest reserves from the Interior Department to the Department of Agriculture," approved February 1, 1905, and the approximate estimate of the amount that will be collected during the present fiscal year, etc.; which, on motion of Mr. HEYBURN, was ordered to lie on the table, and be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills with amendments; in which it requested the concurrence of the Senate:

S. 980. An act to authorize the sale of a portion of the Lower Brule Reservation in South Dakota, and for other purposes; and

S. 2188. An act granting to the city of Durango, in the State of Colorado, certain lands therein described for water reservoirs.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

H. R. 6158. An act granting an increase of pension to Henry Rittenhouse;

H. R. 6401. An act granting an increase of pension to William V. Van Ostern;

H. R. 9924. An act granting an increase of pension to Carrie A. Conley;

H. R. 11748. An act granting an increase of pension to James Wilson; and

H. R. 13010. An act granting an increase of pension to Alice B. Hartsborne.

The message further announced that the House had passed a bill (H. R. 12872) to amend an act entitled "An act to amend and codify the laws relating to municipal corporations in the district of Alaska," approved April 28, 1904; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

S. 3292. An act to incorporate the Grand Council of the United States of the Improved Order of Red Men;

S. 4168. An act to correct a typographical error in act approved July 1, 1898, entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District;"

S. 4302. An act to amend the provision in an act approved March 3, 1899, imposing a charge for tuition on nonresident pupils in the public schools of the District of Columbia;

S. 4426. An act to amend section 927 of the Code of Law for the District of Columbia, relating to insane criminals; and

H. R. 12843. An act to amend the seventh section of the act entitled "An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891, and the several acts amendatory thereto.

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Flatbush Taxpayers' Association, of Brooklyn, N. Y., praying for the enactment of legislation providing for the construction of a United States battle ship at the Brooklyn Navy-Yard; which was referred to the Committee on Naval Affairs.